

as amended; without amendment (Rept. No. 3093). Referred to the Committee of the Whole House on the State of the Union.

Mr. VINSON: Committee on Armed Services. H. R. 9646. A bill to authorize the President to appoint General of the Army George C. Marshall to the office of Secretary of Defense; without amendment (Rept. No. 3094). Referred to the Committee of the Whole House on the State of the Union.

Mr. BECKWORTH: Committee on Interstate and Foreign Commerce. S. 1292. An act to amend section 32 (a) (2) of the Trading With the Enemy Act; without amendment (Rept. No. 3095). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABBITT:

H. R. 9672. A bill to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

By Mr. CLEMENTE:

H. R. 9673. A bill to provide for the appointment of an additional district judge for the eastern district of New York, and for other purposes; to the Committee on the Judiciary.

By Mr. GORE:

H. R. 9674. A bill to provide for the issuance of a special postage stamp in honor of the National Guard; to the Committee on Post Office and Civil Service.

By Mr. HARVEY:

H. R. 9675. A bill to provide for appropriate flagstaff holders at graves of certain veterans; to the Committee on Armed Services.

By Mr. SAYLOR:

H. R. 9676. A bill to amend the National Service Life Insurance Act of 1940 to provide automatic insurance and other benefits for certain servicemen injured or killed in a train collision on September 11, 1950, at or near Lafayette, Ohio; to the Committee on Veterans' Affairs.

By Mr. SIMPSON of Pennsylvania:

H. R. 9677. A bill to provide pensions at wartime rates for disabled veterans and dependents of deceased veterans if the disability or death resulted from an injury or disease received in line of duty as the result of conditions growing out of the Korean situation; to the Committee on Veterans' Affairs.

By Mr. BROOKS:

H. R. 9678. A bill to prohibit the Secretary of the Air Force from alienating any portion of Barksdale Air Force Base, and for other purposes; to the Committee on Armed Services.

By Mr. HAGEN:

H. R. 9679. A bill to amend Veterans' Regulation No. 1a to extend the period of presumption of service connection in the case of pulmonary tuberculosis from 3 to 7 years; to the Committee on Veterans' Affairs.

By Mr. HAND:

H. R. 9680. A bill to provide for observing certain legal public holidays on Monday; to the Committee on the Judiciary.

By Mr. HART:

H. R. 9681. A bill to authorize the waiver of the navigation and vessel-inspection laws; to the Committee on Merchant Marine and Fisheries.

By Mr. LANE:

H. R. 9682. A bill to grant succession to the War Damage Corporation; to the Committee on Banking and Currency.

By Mr. McCORMACK:

H. J. Res. 542. Joint resolution to give the consent of Congress for State agreements or compacts to promote cooperative effort and mutual assistance in civil defense activities; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H. Res. 855. Resolution creating a select committee to conduct an investigation and study of fire-insurance underwriters and their agents with particular reference to the methods and practices employed by them in the settlement of fire-insurance claims; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred, as follows:

By Mr. BYRNE of New York:

H. R. 9683. A bill for the relief of Dr. Ferdinand Van Den Branden; to the Committee on the Judiciary.

By Mr. DENTON:

H. R. 9684. A bill for the relief of William Ginger; to the Committee on the Judiciary.

By Mr. GORE:

H. R. 9685. A bill for the relief of Mrs. Yoshiko Kambe Salts; to the Committee on the Judiciary.

By Mr. KEARNS:

H. R. 9686. A bill for the relief of Leo A. Ribitzki, Mrs. Charlotte Ribitzki, and Marion A. Ribitzki; to the Committee on the Judiciary.

By Mr. McCORMACK (by request):

H. R. 9687. A bill for the relief of Warner Fahrenhold; to the Committee on the Judiciary.

By Mr. MANSFIELD:

H. R. 9688. A bill for the relief of J. C. Eastland; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2372. By the SPEAKER: Petition of Mr. John Whitehead, chairman, Pension Clubs and Senior Citizens of Duval County, Jacksonville, Fla., requesting that emergency legislative measures be taken in dealing with the vital social-security problem; to the Committee on Ways and Means.

2373. Also, petition of Emma Pixley and others, Clearwater, Fla., requesting passage of House bills 2135 and 2136, known as the Townsend plan; to the Committee on Ways and Means.

2374. By Mr. PLUMLEY: Petition of Fall Mountain Grange No. 297, Bellows Falls, Vt., against any form of compulsory health insurance or any system of political medicine; to the Committee on Interstate and Foreign Commerce.

SENATE

MONDAY, SEPTEMBER 18, 1950

(Legislative day of Thursday, July 20, 1950)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, as at the beginning of another week we pause at the footstool of Thy grace, our hearts are both bowed with awe and lifted up with hope. To a world where evil seems so rampant may our contribution be a life purged of self, of uncleanness and hatred, and a heart moved by compassion and concern for all mankind. Amid pollution, may our own motives be a part of the cleansing salt of the earth. In the darkness

may our own spirits be as the candle of the Lord. May the great causes that will mold the future into the pattern of Thy desire and design, that will heal the world and rebuild it, that will create good will and usher in abiding peace, challenge the best that is in us, and gain the supreme allegiance of our love and labor as we serve our brief day.

We ask it in the name of the Master of all good workmen. Amen.

THE JOURNAL

On request of Mr. McFARLAND, and by unanimous consent, the reading of the Journal of the proceedings of Friday, September 15, 1950, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

ENROLLED BILLS SIGNED DURING RECESS

Under authority of the order of the Senate of the 15th instant,

The VICE PRESIDENT announced that on September 16, 1950, he signed the enrolled bill (H. R. 9646) to authorize the President to appoint General of the Army George C. Marshall to the Office of Secretary of Defense, which had previously been signed by the Speaker of the House of Representatives.

LEAVE OF ABSENCE

On request of Mr. WHERRY, and by unanimous consent, Mr. AIKEN was excused from attendance on the sessions of the Senate during this week.

CALL OF THE ROLL DISPENSED WITH

Mr. McFARLAND. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

Mr. WHERRY. Mr. President, before the roll is called, will the Senator yield?

Mr. McFARLAND. Mr. President, I ask unanimous consent that I may withdraw the suggestion of the absence of a quorum.

The VICE PRESIDENT. Without objection, the suggestion of the absence of a quorum is withdrawn.

NOMINATION OF JOHN W. KERN—WITHDRAWAL OF MOTION TO RECONSIDER

Mr. GEORGE. Mr. President, as in executive session, I ask unanimous consent to withdraw the motion entered by me to reconsider the resolution of April 25, 1950, advising and consenting to the appointment of John W. Kern, of Indiana, to be a member of the Tax Court of the United States. I have conferred with the distinguished Senator from Missouri [Mr. DONNELL] and he has no objection to the withdrawal of the motion to reconsider.

Mr. DONNELL. It is agreeable to me.

The VICE PRESIDENT. Without objection, as in executive session, the motion is withdrawn.

TAXES ON COCONUT OIL—RENEWAL OF LICENSES FOR INDUSTRIAL ALCOHOL—CHANGE OF CONFEE

Mr. GEORGE. Mr. President, I am advised that the senior Senator from

Ohio [Mr. TAFT] will not be in attendance on the sessions of the Senate today and tomorrow at least. The Senator from Ohio is a conferee on two tax bills. I ask unanimous consent that the senior Senator from Nebraska [Mr. BUTLER] be substituted as a conferee in place of the senior Senator from Ohio on the bill (H. R. 8992) to eliminate the additional internal-revenue taxes on coconut oil coming from the trust territory of the Pacific islands, and the bill (H. R. 3905) to amend section 3121 of the Internal Revenue Code to give the Commissioner subpoena power in cases involving refusal to renew licenses for making industrial alcohol.

The VICE PRESIDENT. Is there objection to the request of the Senator from Georgia? The Chair hears none, and 't is so ordered.

ORDER OF BUSINESS

Mr. MCFARLAND. Mr. President, under the unanimous-consent agreement, the time between 12 o'clock and 1 o'clock is to be controlled, respectively, by the Senator from Washington [Mr. MAGNUSON] and the Senator from Wyoming [Mr. O'MAHONEY] on the so-called Great Lakes shipping bill.

NOMINATION OF BENJAMIN V. COHEN—OBJECTION WITHDRAWN

Mr. HICKENLOOPER. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield.

Mr. HICKENLOOPER. Mr. President, on last Friday I entered an objection to the confirmation in executive session of the nomination of Benjamin V. Cohen, of New York, to be alternate representative of the United States to the Fifth General Assembly of the United Nations.

My objection at that time was because of a statement which had been made to me with regard to a certain policy which would affect this appointment. It was nothing of a personal nature to Mr. Cohen. I have since been completely satisfied that my objection was not accurate, and therefore, I withdraw any objection to the nomination at this time.

The VICE PRESIDENT. The objection is withdrawn.

NOMINATION OF WILLIAM O'DWYER

Mr. HICKENLOOPER. Mr. President, since I expect to ask unanimous consent to be absent for the remainder of the day, at least after an hour or so, I should like to make a statement with regard to the nomination of William O'Dwyer, of New York, to which I objected on last Friday. I merely desire to say—

The VICE PRESIDENT. Does the Senator from Arizona yield time?

Mr. MCFARLAND. Mr. President, I cannot yield any time because there is a unanimous-consent agreement, and I have no time to yield.

Mr. HICKENLOOPER. I merely wish to make a brief statement as I expect to be absent later in the afternoon.

Mr. MAGNUSON. Mr. President, if the Senator from Washington may be recognized under the unanimous-consent agreement I shall be glad to yield to the Senator from Iowa.

The VICE PRESIDENT. The Senator from Washington is recognized.

Mr. HICKENLOOPER. Mr. President, I do not desire to interfere with the Senator from Washington, but, in view of the fact that I may be away from the session of the Senate later this afternoon, I thought I should make a statement now.

Mr. MAGNUSON. I yield to the Senator from Iowa.

Mr. HICKENLOOPER. Mr. President, on last Friday in executive session, I objected to the consideration of the nomination of William O'Dwyer, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Mexico. When the Foreign Relations Committee voted to recommend to the Senate that it advise and consent to the appointment of Mayor O'Dwyer, I voted present. My reasons for voting present were that some questions, which might or might not be of a serious nature, depending upon the evidence that touched on them, were raised in connection with the nomination of Mayor O'Dwyer, both in communications to me and in communications to the chairman of the Committee on Foreign Relations. The mayor was asked to come before the Committee on Foreign Relations. Certain of the matters were discussed in committee, and it became apparent to me, at least in my judgment, that there was accessible to the Committee on Foreign Relations evidence which would completely clear up the matter one way or the other. I moved that at least part of the evidence be secured by the Committee on Foreign Relations. The committee voted my motion down. The evidence was not secured or examined by the Committee on Foreign Relations. Therefore, in view of that action by the committee, and its desire to proceed with its action to recommend the confirmation of Mayor O'Dwyer's nomination, I voted present in the committee meeting.

I am still of the same opinion. Under the state of the record, I feel I am not warranted in voting for the confirmation of Mayor O'Dwyer's nomination to be Ambassador to Mexico, and also under the state of the record I feel in fairness I am not warranted in voting against it. I think it is an unsatisfactory situation from my standpoint, but, so far as any objection which I entered on Friday evening is concerned, I withdraw the objection, so that any time the leadership wants to bring up the nomination in executive session it may do so. I thank the Senator from Washington.

ORDER OF BUSINESS

The VICE PRESIDENT. Under the unanimous-consent agreement entered into, the time from now until 1 o'clock is equally divided between the Senator from Washington [Mr. MAGNUSON] and the Senator from Wyoming [Mr. O'MAHONEY] on the amendment offered by the Senator from Wyoming to the bill (H. R. 8847) to aid the development and maintenance of American-flag shipping on the Great Lakes, and for other purposes, which is now the unfinished business.

The Chair wishes to state that an error was made in the printing of the unanimous-consent agreement on the calendar. It states that the time after 1 o'clock

is to be controlled by the Senator from Wyoming [Mr. O'MAHONEY]. It should be the Senator from Washington [Mr. MAGNUSON].

NOMINATIONS TO GENERAL ASSEMBLY OF UNITED NATIONS

Mr. WHERRY. Mr. President, I ask unanimous consent to proceed for 3 minutes.

Mr. MAGNUSON. Mr. President, I yield 3 minutes to the Senator from Nebraska.

The VICE PRESIDENT. Without objection, the Senator is recognized for 3 minutes.

Mr. WHERRY. I should like to inform the majority leader that if the request is made there will be no objection that the President be notified of the confirmation of the nominations of the Senator from Massachusetts [Mr. LODGE], the Senator from Alabama [Mr. SPARKMAN], to be representatives of the United States to the fifth session of the General Assembly of the United Nations, and the nomination of Benjamin V. Cohen, of New York, to be alternate representative.

I believe the nomination of Mr. Cohen has not been confirmed.

The VICE PRESIDENT. It has not been.

Mr. WHERRY. So the President would not be notified. The other two have been confirmed. My understanding is that when the appointments are confirmed, the Senator from Missouri will not object in these cases to the President being notified, so that the nominees may begin their functions in the United Nations. I desired to make this announcement.

Mr. MAGNUSON. Mr. President, I am afraid this matter will lead to debate in which all my time will be taken up. I have only about 15 minutes.

Mr. MCFARLAND. Mr. President, will the Senator yield half a minute to me?

Mr. MAGNUSON. I have yielded to the Senator from Nebraska.

The VICE PRESIDENT. The Senator from Washington yielded to the Senator from Nebraska.

Mr. WHERRY. I have 3 minutes, and if the confirmation is made within my 3 minutes, I shall not object, but if the Senator from Missouri thinks it will take longer, I should like to proceed.

Mr. DONNELL. Will the Senator permit me to say a word?

Mr. WHERRY. I yield to the Senator.

Mr. MAGNUSON. I yield for 3 minutes.

Mr. DONNELL. Mr. President, I have been very reluctant indeed to waive any objections to the notification of the President in these three cases, not because of opposition to any of the three nominees, but on the principle involved. It is very unfortunate that we should deviate from the rule of the Senate, which has the wholesome intent and purpose of allowing a reasonable time for reconsideration of action in the way of confirming nominations.

In view of what I assume to be the very great importance of action in the present situation, however, and certainly in the knowledge I have of our very good

friends, the Senator from Massachusetts [Mr. LODGE] and the Senator from Alabama [Mr. SPARKMAN], and having no reason to think there is any objection to Mr. Cohen, I have, as the Senator from Nebraska indicated, consented in these cases to raise no objection. But I want it distinctly understood that I do not in any sense indicate any deviation from the general rule and principle upon which I stand in this matter.

CONFIRMATION OF NOMINATION OF BENJAMIN V. COHEN

The VICE PRESIDENT. The Chair does not understand that Mr. Cohen's nomination has been confirmed as yet. The other two nominations have been confirmed. Objection was made to the confirmation of Mr. Cohen.

Mr. CONNALLY. Mr. President, I move that the nomination of Mr. Cohen be confirmed.

The VICE PRESIDENT. Is there objection, as in executive session—

Mr. HICKENLOOPER. Mr. President, I withdrew my objection.

The VICE PRESIDENT. The Chair understood the Senator from Iowa to withdraw his objection to the confirmation of the nomination of Mayor O'Dwyer, but did not understand he did the same as to the nomination of Mr. Cohen.

Mr. WHERRY. The Senator from Iowa did withdraw his objection.

The VICE PRESIDENT. The Chair is sorry he did not understand that. Without objection, then, as in executive session, the nomination of Benjamin V. Cohen to be alternate representative of the United States of America to the fifth session of the General Assembly of the United Nations is confirmed, and, without objection, the President will be notified in all the cases of the confirmation of the representatives to the United Nations.

Mr. LEHMAN. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks, a statement which I have prepared on the nomination of Mr. Benjamin V. Cohen as alternate delegate to the General Assembly of the United Nations.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. President, there is pending before the Senate the nomination of Mr. Benjamin V. Cohen as alternate delegate to the General Assembly of the United Nations. This nomination was blocked by an objection last week, when the rest of the nominations for the delegation were approved.

I am sure, Mr. President, that there is no intention on the part of any considerable number of Senators to question the qualifications of Mr. Cohen for the important post to which he has been nominated. Yet the very fact that Mr. Cohen's nomination was not confirmed at the same time as the others may raise questions in some minds which I, at least, should like to do my part to put at rest.

Mr. Cohen has been a member of almost every United States delegation to the United Nations since the UN was founded. He was counselor of the State Department under Secretary of State Byrnes and under Sec-

retary Marshall. He was one of the architects of the United Nations, as a member of the original Dumbarton Oaks group which drafted the Charter of the United Nations.

I know of no American citizen who has served his country more selflessly and more intensively than Benjamin V. Cohen. For the past 18 years, Ben Cohen has been one of the great contributors to the social advances made by the United States. He was one of the draftsmen of the Securities and Exchange Act, the Holding Company Act, and of many of the most important pieces of legislation now on the statute books of the United States. He is widely acknowledged as one of the great constitutional lawyers of this country.

He recently and successfully pleaded a historic case on behalf of the General Assembly of the United Nations before the International Court at The Hague, charging Hungary with actions in violation of the human-rights provisions of the United Nations Charter.

This man has never sought personal privilege or recognition for himself. He is the closest thing to a selfless man I have ever known. He is one of America's most useful citizens. He is one of America's most patriotic citizens. I know of no one more qualified to battle against the insidious designs of Soviet Russia in the United Nations General Assembly.

I ask that this nomination be approved without delay, and with a sense of gratitude at Mr. Cohen's willingness to serve in this high capacity.

CONGRATULATIONS TO THE VICTORIOUS ARMIES IN KOREA

Mr. MAGNUSON. Mr. President, I yield to the Senator from Nebraska for a short statement.

Mr. WHERRY. Mr. President, the American armies in Korea, by the bold strategy of their commander, Gen. Douglas MacArthur, have apparently turned the tide; they have transformed what appeared a humiliating defeat into a spectacular victory.

There may still be much trouble ahead of us; we still do not know what pitfalls we may encounter. But at a time when the prestige of the American arms was at a low ebb throughout the world; when we ourselves in this country became worried over the consequences of the tragic lack of preparedness, the American soldiers, marines, and sailors performed what may be described as a miracle. Despite their being outnumbered, they took the offensive by a daring landing in the rear of the enemy and changed the course of the campaign.

The American flag is already flying over Inchon; and it may be planted within a short time over the capital of the South Korean Republic, Seoul.

I am sure that all the members of this body will unanimously agree that the Senate of the United States convey to the American heroes in Korea, through their commander, General MacArthur, their deepest gratitude and the Nation's heartfelt thanks for a job well done.

Mr. President, I ask unanimous consent that at this point in my remarks there be printed an article by the distinguished commentator, Constantine Brown, in his column, *This Changing World*, which appeared in the *Washington Star* today.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THIS CHANGING WORLD—AMERICAN OFFENSIVE IN KOREA RESTORES PRESTIGE NOT ONLY IN ASIA BUT EUROPE

(By Constantine Brown)

The American people owe a deep debt of gratitude to that handful of men who have been fighting in Korea since last June. By their unflinching courage, endurance, and resourcefulness they were able to turn the tide and make what appeared to be likely defeat into a spectacular victory.

It is too early, of course, to assume that we have won finally in Korea. There are a number of questions which must be answered before General MacArthur can cable Washington, "Mission accomplished."

One element of doubt is Russia and what she will do. Will Moscow order the Chinese Communists to move across the Yalu River, after we have made a long advance from our present beachhead? Will she accept the defeat of her unfortunate satellite and thus risk a certain and devastating loss of face, not only throughout Asia but among her puppets in Europe?

The repercussions of the daring operations of the last 4 days, which so unexpectedly placed the American forces on the offensive, will be felt shortly throughout the world and particularly in eastern Germany, where military prowess ranks high above ideology.

THEY CAN STRIKE BACK

Will Russia allow her careful plot for domination to collapse, without engaging either her own forces or those of the Chinese Communists? Will she allow the troops of that "arch warmonger," General MacArthur, to thwart the carefully laid plans of the Kremlin's plotters? These are questions which no one can answer at this moment. All we know is that the Reds have the capability to retaliate.

Furthermore, will the Chinese puppets, who undoubtedly are impressed by the spectacular strategy of the American military and the superb fighting ability of the "green" American forces, be willing to follow Moscow's dictates at this stage of the game? The Russian plotters have lost face, and that is of paramount importance in the east.

American soldiers, sailors, and airmen have restored the prestige of the United States throughout the world. In spite of the dozens of billions of dollars which we have spent in Europe to gain friends and associates, the inevitable defeats which we suffered at the hands of an enemy fully prepared for war made a deep and unfavorable impression all through western Europe.

FEELING IS CHANGED

The people there—with no appreciation of our difficulties—jumped to the convenient conclusion that America was a colossus with feet of clay. They argued that if this enormously wealthy and highly industrialized Nation of 150,000,000 were incapable of handling the armies of a Russian puppet of only 8,000,000, what chance would western Europeans have of American protection against the Red masses? And a feeling of neutrality was spreading among our allies across the Atlantic.

The landing behind the North Korean lines, at a time when we were barely hanging onto our beachhead, already has created a different feeling among the Atlantic Pact nations. These people, who have been fighting wars for hundreds of years, quickly grasp bold and brilliant strategic movements.

The French and British, who fought on the defensive for the most part in the two world wars, have a deep respect for such daring offensive moves as our fighting men have

made in Korea. And the masses react more quickly to spectacular displays than they do to any kind of propaganda or dole.

The victories—even if they are followed by some reverses if the masses of Chinese armies are thrown into the battle—have had a salutary effect on the home front. Those who were responsible for our total lack of foresight and preparedness when the North Korean attack caught us by surprise squirmed to find excuses, alibis, and scapegoats. It was said that the troops which we rushed across the Korean straits were softened by the garrison life of an army of occupation and that their officers preferred to live in luxury, surrounded by geisha girls, rather than give the depleted occupation divisions the necessary battle training. There was little praise for the heroism of the 500 who composed the first American contingent rushed to Korea to delay the Red onrush from the north.

FOUGHT LIKE VETERANS

These men were outnumbered 10 to 1. Yet they fought on like old battle-hardened veterans. It was whispered in some of the highest quarters that General MacArthur, at the age of 70, did not have the energy and mental capabilities necessary in a field commander. There were indications—not from the Pentagon—that it might be advisable to replace him with some younger man and that the old gentleman might remain merely a figurehead and an administrative officer.

The people of this country, alarmed at the heavy casualties, the enormous cost and the lack of success of our fight in Korea, were wondering where we were going and what we were doing. Some began to doubt that we could fight if this war were to spread farther.

The men in Korea—a handful at first—stood their ground. They fought desperately against overwhelming odds. They were often dispirited like most armies which are continually in retreat. But they never lost faith and determination.

The exploit of last Friday was their reward. They did more than surprise the enemy. They restored the faith of the country and of the free world in American arms.

ECA AID FOR COUNTRIES SHIPPING STRATEGIC WAR MATERIALS TO RUSSIA

Mr. WHERRY. Mr. President, the Washington Evening Star of last Saturday carried an excellent editorial in support of the Senate amendment to stop ECA aid for countries that ship strategic war materials to Russia and her unwilling satellites.

This editorial clears up some of the misstatements that have been made regarding the amendment.

I ask unanimous consent that the text of the editorial be placed in the body of the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE WHERRY RIDER

If House conferees go along with the Senate-approved version of the emergency defense appropriation bill, all countries participating in the Marshall plan will risk being cut off from our economic help under that plan if they ship to the Soviet Union or its satellites any commodity or article declared to be useful in the manufacture of "arms, armament or military matériel."

This provision—which would not stop our arms aid to any penalized country—is based on a modified version of a proposal long advocated by Senator WHERRY. Tacked on to the appropriation bill in the form of a rider,

it is aimed primarily at the British Labor Government, which has been under fire both in its own country and here in America for exporting to Russia, and eastern Europe as a whole, machine tools and other items deemed to be of service to the Kremlin's war potential.

Although Prime Minister Attlee has taken steps to tighten trade controls on all such shipments, the Senate's action—pushed through without dissent after Mr. WHERRY's ideas had been watered down some—reflects the serious doubts that still exist in the United States, and in Britain as well, as to whether he has yet gone far enough with the tightening process. If he has not, then the rider—unless the House refuses to accept it in conference committee—will put him on notice either to do so or face the prospect of having his country denied the benefits of the Marshall plan.

Of course, under the 1948 act creating the Economic Cooperation Administration to put that plan into effect, Congress instructed the ECA to shut off the flow of certain materials to any participating nation found to be using those materials in producing military or semimilitary items for shipment to Russia or its satellites. But the Wherry rider—which would be operative whenever our Armed Forces were fighting to carry out a mandate of the United Nations (as in Korea)—is much more sweeping than that, for it would deny all Marshall aid to a country exporting militarily useful items to the Soviet sphere.

Moreover, unlike the act of 1948, the rider does not leave it up to Mr. Hoffman—the ECA Administrator—to exercise discretion in this matter. He would have no choice but to put the provision into effect against any participating nation found to be shipping to countries behind the iron curtain things that had been placed on the "verboden" list by the Secretary of Defense. The latter would be the sole decider of what commodities or articles ought to be banned from export.

Administratively, economically and otherwise, the wisdom of such an arrangement may be open to serious question. But the incoming Defense Secretary would be the last man to hurt the great project that bears his name—the Marshall plan. Accordingly, if the Wherry rider is adopted by Congress as a whole, it need not be feared by any of the ECA nations living up to its basic purpose. Certainly, as far as that purpose itself is concerned, there can be no doubt that the free world, if it has common sense, will do nothing to help build up the Soviet war machine.

DEVELOPMENT AND MAINTENANCE OF AMERICAN-FLAG SHIPPING ON THE GREAT LAKES

The Senate resumed the consideration of the bill (H. R. 8847) to aid the development and maintenance of American-flag shipping on the Great Lakes, and for other purposes.

Mr. MAGNUSON. Mr. President, we are to vote on the O'Mahoney amendment to the so-called Great Lakes shipping bill, and the bill itself, beginning at 1 o'clock.

On Friday several questions were asked regarding the purport of the bill, and because it is a technical matter and somewhat difficult to understand, I undertook over the week end to prepare answers to questions with facts pertaining to the matter, and also to anticipate other questions which might arise.

The first question that was asked and was in the minds of most Senators was, Does this bill give new benefits to the shipping industry?

The answer is "No." Substantially all the bill does is to extend existing law to include 10 ships for use on the Great Lakes.

The second question is, How much will this bill cost the Government? The distinguished and able Senator from Georgia asked me that question a few moments ago. The answer is the bill will not cost the Government any money, nor require any appropriation. On the contrary, the Treasury will receive a substantial return from receipts from sale of these vessels which otherwise would remain in laid-up fleets and from taxes on the earnings of the ships and crews. The Treasury would also be relieved of the cost of many thousands of dollars per annum for maintaining each of these ships in laid-up fleets. Shipyards would also be given much-needed work to keep them in operation.

The next question that was asked was whether the enactment of the bill would hurt our national defense. The answer is that the enactment of this bill will benefit our national defense. In the first place, these vessels will be available on the Lakes for military use to carry troops and equipment in the event of an attack "over the top." If not so needed, these vessels can be removed from the Lakes for ocean use. The number of ships covered by the bill, 10, is so small in relation to the thousands in laid-up fleets and in operation on the ocean that it can have no detrimental effect on ocean defense needs. The National Securities Resources Board has approved this bill.

Another question was, Does the 90-percent allowance mean that the buyers would get their ships for 10 cents on the dollar? The answer is "No."

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. MAGNUSON. I cannot yield. I have only 5 or 10 minutes. I merely wish to put in the RECORD the information I have prepared.

In order to buy a ship under this bill, Great Lakes purchasers would have to pay the full Ship Sales Act price. Under existing law, ocean buyers get the same allowances and pay the Government the difference between the shipyard costs of reconverting the vessels and the Ship Sales Act price. In many cases allowances granted to ocean buyers have been over 90 percent. This limitation merely sets that as the maximum allowance for lake ships. If the conversion costs only run 50 percent, they would get only that amount as an allowance and the remaining 50 percent would have to be paid to the Government.

Another question was, would the bill permit the sale of ships which the Navy might want? The answer is that under the existing Ship Sales Act, to which this bill is merely an amendment, the Secretary of the Navy must be consulted by the Maritime Administration regarding what vessels should be kept in the national defense reserve. The Joint Chiefs of Staff have already put their fingers on some 494 ships which they say should be in the naval reserve. Those ships cannot be sold even to buyers for ocean trade. If the Secretary

of the Navy wanted any particular ships retained, he could object to their sale.

Another question was, What is the alternative to this bill? The answer is that the alternative to selling ships under this bill would be to let them remain rusting in the laid-up fleets. For example, one buyer under this bill wishes to buy a C-4-type vessel. Of all the C-4 vessels built by the Government during the war, not a single one has been sold under the Ship Sales Act. These vessels can either remain in the laid-up fleet or be put to practical use on the Great Lakes under this bill.

The Senator from New Mexico [Mr. ANDERSON] has indicated he will ask whether the 75-percent guaranty under the Federal Ship Mortgage Insurance Act amendment, section 4, would apply the 75-percent provision to the net purchase price alone, or also to the conversion cost.

The answer is that the 75-percent provision would apply to the aggregate of the net purchase price and the conversion expenditures actually made. This is made clear in the House report. In some cases they may run maybe not over \$300,000 or \$400,000. This is made clear in the House report, which is a very complete report on the bill. The bill was reported by the House committee unanimously and was passed unanimously by the House.

In other words, buyers must pay down at least 25 percent of their own money for both the net purchase price and conversion costs, the guaranty going only to 75 percent of the aggregate of these costs. In no event, however, can this guaranty be more than 75 percent of the appraised value of the vessel after completion.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point an answer to the suggestion made by the distinguished Senator from Pennsylvania [Mr. MARTIN] in connection with which he argued that the C-4-type vessel cost \$4,000,000 to build.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

ARGUMENT THAT ALLOWANCES UNDER H. R. 8847 SHOULD BE REDUCED BECAUSE BUYERS OF VESSELS GET A BARGAIN

Senator MARTIN argued that the C-4-type vessels cost \$4,000,000 to build, that the Ship Sales Act prices of such vessels is \$1,600,000, and that if allowances are granted the Government gets only a fraction of the cost of the ship. This argument is unsound for numerous reasons.

The \$4,000,000 price for a C-4 is the average price for all C-4's, including those built in inefficient shipyards under war conditions with high war costs. While I do not have actual figures, I feel confident that the cost of such a ship in an efficient yard was much, much less than the \$4,000,000. For example, the average price of a Liberty ship built in all yards was approximately \$1,550,000. Some yards spent as much as \$2,250,000 to build a similar Liberty ship. But the more efficient yards built Liberty ships for as low as \$800,000. As the Ship Sales Act price is \$544,000 for a Liberty ship, it will be seen that, as compared to the low price of an efficient yard, the buyer pays a large proportion of the wartime cost of the vessel. I believe that this is a larger proportion than any other surplus property is sold for.

If the same proportions apply to a C-4 as the Liberty, it will be seen that although the average cost is \$4,000,000, it is probable

that the efficient cost will be about half that, or about \$2,000,000. A Ship Sales Act selling price of \$1,600,000 therefore, is very much in line with this original cost price.

It is also argued that the \$1,600,000 price is a great bargain. If it is remembered that the value of any asset is only what buyers are willing to pay for it, it will be seen that this is not true, as there is no demand for the purchase of C-4's at anywhere near the Ship Sales Act price. Suppose during the war we built B-17 planes at a cost of \$300,000 apiece. Today the Government probably could not sell them for \$10,000 apiece. I think people could not criticize the sale of B-17's for \$10,000, as that is all they are worth in the going market. The same is true of ships. The Government built thousands for which there is no demand. Not a single C-4 has been purchased from the Government. It would be seen, therefore, that the price which is paid for these vessels under the Ship Sales Act is extremely reasonable.

If the vessels in Government hands require extensive repairs and conversion work, their value is less, as the allowances will be only the amounts required to be spent to put the ship in shape. The Government's interest in the ships is only worth the difference between what the real value is less the repair costs. As you only get the allowances for money actually spent for repair and conversion work, you can see that the procedure set forth in this bill is proper.

Mr. MAGNUSON. Substantially this statement refers to the late costs, near the tail end of the war, when C-4 ships were built. The statement places all the facts and figures of their cost in the RECORD.

Mr. President, I also ask unanimous consent to have printed in the RECORD, at this point, a statement which corrects the impression that one or two Senators had, that if these vessels were sold under the bill, subsequently, if the vessels were required by the Government for war purposes, the buyers would be entitled to the full value of the vessels. That is incorrect, and I wish the RECORD to show why it is incorrect.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ARGUMENT REGARDING POSSIBLE PROFITS TO BUYERS OF VESSELS UNDER THIS BILL (H. R. 8847) IF SHIPS ARE SUBSEQUENTLY REQUIRED BY THE GOVERNMENT

Senator Long, who supports this bill, states that in a conversation with a colleague he received the impression that if these vessels were sold by the Government under this bill and subsequently required by the Government for a war emergency, the buyer would be entitled to the full value of the vessel at its original cost of approximately \$4,000,000. This is completely incorrect. If the Government subsequently recaptured these vessels, they would pay only the depreciated cost of the vessel to the buyer.

Under existing law, the Government may take these vessels upon payment of just compensation, without any additions or enhancement in value resulting in the cause for such taking. In other words, the value of the vessel is not increased to the Government because the war emergency has made vessels more valuable to the Government. In computing compensation for these vessels, there is no question in my mind but that the price paid by the Government as just compensation would be based on the amount actually paid by the buyer under this bill for the ships, without any additional amounts granted for enhancement of value of the vessels because of any war emergency.

Mr. MAGNUSON. Mr. President, I also ask unanimous consent to have

printed in the RECORD a statement which I hope will clear up to a great extent the misunderstanding regarding the 75 percent, and what the buyer receives, what the allowances are, what the recapture clause is, matters which relate directly to the amendment of the Senator from Wyoming [Mr. O'MAHONEY].

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SENATOR O'MAHONEY'S AMENDMENT TO H. R. 8847, A BILL TO DEVELOP AND MAINTAIN GREAT LAKES SHIPPING

Senator O'MAHONEY has introduced an amendment which would reduce the maximum allowances granted to ships sold for use on the Great Lakes from 90 percent to 75 percent. I am informed that adoption of such an amendment would probably defeat the purpose of the bill and it is doubtful that any vessels would be bought under these circumstances. I think Senator O'MAHONEY's amendment is based on a misunderstanding of facts, and that if these facts are presented to the Senate they will be willing to vote down the amendment.

As many people have difficulty in understanding the effect of the allowance provision, let me first analogize it to an easily understood situation with automobiles. Supposing a second-hand 1946 Buick has a Blue Book resale price of \$1,000. A customer goes into a dealer who informs him that he has a 1946 Buick which he is willing to sell for \$1,000, but that the car is in bad condition and will require repairs. He informs the customer that he can either pay the dealer \$1,000 directly and the dealer will have the repairs made, or the customer can have the repairs made at whatever auto-repair shop will do the work for the lowest possible price, and pay the difference to the dealer. For example: if the repair work on the car cost \$600, that amount will be paid to the repair company and the dealer will get the difference between \$300 and \$1,000, or \$400. You will note that in any case the buyer is out of pocket the full \$1,000 Blue Book price and that the dealer gets the full value of his interest in the car requiring the repairs.

In the first few months of operation under the Ship Sales Act, the Maritime Commission made all necessary repairs on vessels and then sold them to buyers at the full Ship Sales Act price, without any allowances. Congress subsequently decided to take away from the Commission its revolving fund used for this purpose, and an appropriation act during 1947 provided that, instead of making the repairs, the Maritime Commission would have the buyer make the necessary repairs to get the vessel in shape and deduct the cost of such repairs from amount paid the Commission as the Ship Sales Act price. You will note that this is exactly the same as the automobile example given above.

Let's use an actual situation with an ocean vessel. Suppose the Ship Sales Act price of a vessel is \$1,000,000. The buyer picks out his ship, and his engineer and the Maritime Commission engineer go aboard and inspect the vessel, making a list of the work which must be done to put the ship in shape, as a standard ocean-going ship. They make up a list of specifications of needed repairs and these specifications are then issued to all the shipyards in the vicinity. The shipyard making the low bid gets the work. The shipyard is paid the cost of this work by the buyer. The amount paid to the shipyard is then the allowance given to the buyer, and is deducted from the Ship Sales Act price, with the balance being paid to the Government.

Please note that the buyer gets as an allowance only that amount which he actually paid to the shipyard for the repairs required to put the ship in operating shape. You will also please note that the buyer is out of

pocket the full Ship Sales Act price. He gets an allowance only that amount that he actually spends for the necessary work. As you will note, the result of this is that the buyer gets a ship in shape in return for the full Ship Sales Act price.

In the case of the ocean vessels, the necessary repairs for those amounted in many cases to over 90 percent of the Ship Sales Act price and in some to as high as 99 percent. The buyers have been given allowances for such percentages. This is perfectly proper, as the allowances were only equal to the amounts which they were actually out of pocket to repair their vessels. In other words, the allowances were just the amounts paid to get a ship in shape. The amount received by the Government was all that it was entitled to, as the produce the Government had to sell required these necessary repairs in order to put the ship in shape.

The allowances given to buyers under this bill will, similarly, be only the amount for which the vessel purchased requires to put it in shape for use on the Lakes. The Government will get what its vessel in present condition is worth, by deducting from the Ship Sales Act price the amount paid to the low-bidding shipyard. Note, however, that the buyer must actually pay the conversion allowance to the shipyard in order to be given credit for it. In other words, he is out of pocket the full Ship Sales Act price for the vessels, as the sum of the amounts he pays the Government and the repair yards equals the vessels cost.

I am informed that while the C-4 cost is only \$1,600,000 under the Ship Sales Act, the estimated conversion cost for Lakes use is \$2,200,000. If 90 percent of the Ship Sales Act, or \$1,440,000, is given under this bill as an allowance, the buyers would still be required to pay an additional \$760,000 for the conversion work for which they receive no reimbursement or allowance. If the 75-percent amendment were to prevail, this cost would be increased by \$240,000. This would be extremely unfair, as 700 ocean buyers and 1,100 vessels sold to foreigners were not so penalized.

We have sold 1,100 vessels to foreigners and 700 to Americans for ocean use, with allowances up to 99 percent of the Ship Sales Act price. It would be completely unfair to penalize these 10 vessels for Great Lakes use by limiting allowances granted them to 75 percent. It seems only proper that the Great Lakes should be given the same allowances.

If some amendment is required, may I suggest that you do not put in the 75-percent clause. Instead, strike out the entire limitation clause. This would put the Lake purchasers on exactly the same basis as ocean purchasers. But, it will be noted if this is done, they will be allowed up to 99 percent of the cost instead of 90 percent.

Mr. MAGNUSON. Mr. President, I have 5 minutes remaining. The Senator from Minnesota [Mr. THYE] wishes to make a statement. I should also like to yield to the Senator from Oregon [Mr. CORDON] for a short statement. I wonder if the Senator from Wyoming is going to use all his time, or if he will allow the Senator from Oregon to have a portion of his time.

Mr. O'MAHONEY. Mr. President, if I may take a few minutes now perhaps I can straighten out the situation.

Mr. WILLIAMS. Mr. President, will the Senator from Washington yield for one question?

Mr. MAGNUSON. Yes.

Mr. WILLIAMS. As a member of the committee who opposed the bill in committee, and who opposed reporting the bill to the calendar, I wish to ask if any consideration is to be given the Senator

from Delaware to make a statement in opposition to the bill?

Mr. MAGNUSON. Yes, Mr. President; when the bill comes up, I shall be glad to yield 10 minutes to the Senator from Delaware. Under the unanimous-consent agreement, the Senator can have 10 minutes' time.

Mr. WILLIAMS. Perhaps there will not be any time left for the Senator from Delaware. I may not be able to be given 10 minutes.

Mr. MAGNUSON. The Senator from Delaware can offer an amendment, and speak on it for 10 minutes.

Mr. WILLIAMS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. WILLIAMS. In view of the fact that the Senator from Delaware has no amendment to offer, and in view of the fact that he would like to have the opportunity to make a statement, and believes that, as a member of the committee, he should have an opportunity to make a statement, may I be given some time on a motion to recommit the bill?

The VICE PRESIDENT. The Senator from Delaware would have 10 minutes to speak on such a motion, or either Senator in charge of time might yield the Senator from Delaware some time.

Mr. MAGNUSON. I have served many years in the House, and I can say to the Senator from Delaware that if he does not have an amendment to offer, and desires to speak, he can move to strike out the last word.

The VICE PRESIDENT. That rule does not prevail in the Senate.

Mr. MAGNUSON. It does not? The Senator from Delaware can submit a written amendment to strike out the last word, and he can speak on that amendment.

Mr. O'MAHONEY. Mr. President, will the Senator from Washington yield to me?

Mr. MAGNUSON. Mr. President, I yield the floor.

Mr. O'MAHONEY. I desire to say to the Senator from Delaware that I shall give him ample time in which to discuss this matter.

Mr. THYE. Mr. President, will the Senator yield for one moment?

Mr. O'MAHONEY. I yield.

Mr. THYE. I wish to say that I shall be glad to yield to the Senator from Delaware some of the time that may be allotted to me, in order that he may be accommodated in his desire to speak.

Mr. O'MAHONEY. I am sure there will be no disposition to prevent the Senator from Delaware from making his statement.

Mr. MARTIN. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. MARTIN. I also would like the opportunity of making a statement. I have already made a statement. The statement I now wish to make is very brief. But I feel that in fairness to the taxpayers and the people of the United States, I should make a brief statement. I should like to be given the opportunity to make it. I do not wish to speak under the subterfuge of an amendment which might not even be considered germane.

Mr. O'MAHONEY. Mr. President, I may say that when the Senate recessed on Friday I was under the impression that a unanimous-consent agreement had not been reached, but that the bill would be the unfinished business and that there would be ample time for every Senator who desired to speak on it. I find now by glancing at the calendar that a unanimous-consent agreement was entered into, and that the Senate will begin voting on amendments to the bill at 1 o'clock. I may say to the Senate that I submitted my amendment during the night session on Thursday for the purpose of securing an explanation on the part of the committee of the considerations which prompted the committee to make allowances to be deducted from the adjusted statutory price of the vessels. Of course, I am not a member of the committee and therefore had no opportunity to participate in the hearings. Since that time I have been advised that the principle upon which the committee acted is similar to that in which a person may buy a used automobile and agree to pay, let us say, \$1,500 for it, but with the understanding that the cost of rehabilitating it shall be deducted from the compensation. I have been given to understand that the expense of rehabilitation will be assumed by the purchasers and not by the Government. That was not clear at the time the motion was made. Therefore, Mr. President, so far as I am concerned, I am not going to press my amendment. But it has been offered, and some Members of the Senate apparently are opposed to this matter, and they will have plenty of time to discuss it.

I do, however, want to take 5 minutes, because I announced last Friday that it was my intention to take the floor today at the first opportunity to say a word about the importance of statehood for Hawaii and Alaska.

The VICE PRESIDENT. The Senator from Wyoming is recognized for that purpose.

IMMEDIATE STATEHOOD FOR ALASKA AND HAWAII NOW IMPERATIVE FOR INTERNATIONAL RELATIONS

Mr. O'MAHONEY. Mr. President, I prepared a brief statement, which was a summary of some of the things I wanted to say respecting immediate statehood for Hawaii and Alaska, and since it has been handed to the press and to the wire services, Members of the Senate will realize the importance of my making the brief statement now. I shall, however, take the floor at the earliest opportunity after the vote is had at 1 o'clock, to pursue the matter.

I want to call to the attention of the Senate in the first place that the Assembly of the United Nations will meet in the city of New York tomorrow. Nations from all over the world, representing peoples of all diversities, will gather to determine whether or not in the judgment of the free peoples of the world the United Nations shall be supported in its effort to resist totalitarian communistic aggression in Asia. We are battling for the minds of men all over the world. It has seemed to me that the meeting of the

Assembly tomorrow, as well as the advance of the United Nations forces in Korea under the leadership of General MacArthur with a vast preponderance of American fighting men, makes this the psychological time for the Senate to complete action on these bills to enable Alaska and Hawaii to become States.

Alaska and Hawaii are American outposts in the Pacific. What we in Congress do now with respect to statehood for these two Territories will have an immediate effect throughout the world, and particularly throughout the Asiatic areas.

To make completely successful the present struggle in the Pacific, the peoples of Asia must be convinced that the United States does not seek to establish colonial imperialism, contrary to the accusations of Russian propaganda. Immediate statehood for Alaska and Hawaii will be the most convincing argument we can now make that military success against communistic aggression in Korea means freedom and self-government for all Asiatic peoples, and not colonial subordination.

In Alaska, 26 percent of the population is composed of Eskimos, Indians, and Aleuts. The economic and social status of these natives have greatly improved under the American system, as evidenced by the fact that natives have risen to outstanding political distinction in the Territory. Last year, by the unanimous vote of his 15 white colleagues, Frank Peratrovich, a native who has served as Mayor of Klawock, Alaska, was elected president of the Territorial senate. Six out of 40 of the present membership of the Territorial legislature are members of native races, 3 of them being Eskimos. Many natives are members of various Territorial boards.

In Hawaii, where citizens of Japanese ancestry constitute approximately 39 percent of the population, and more than 19 percent are of Hawaiian or part-Hawaiian origin, a basic tenet of the Territory has been political equality with no racial discrimination.

As in Alaska, where, as already pointed out, a native was elected president of the senate by his Caucasian colleagues, so also in Hawaii a man of Japanese ancestry, Wilfred C. Tsukiyama, a veteran of World War I, a graduate of Coe College in Cedar Rapids, Iowa, and the University of Chicago, was unanimously elected president of the Territorial senate.

Many citizens of Hawaiian blood have also risen to distinction in the political life of that Territory. More students than can be accommodated from all parts of the Pacific area seek an education at the University of Hawaii, a public institution of learning at Honolulu.

We are accused by Russia of intent to subjugate to colonial status the people of Korea. We are accused by Russia—and the accusation has been made by Jacob Malik at the meetings of the Security Council of the United Nations—that our purpose is to reestablish colonialism throughout Asia.

How better can we convince the people of the Pacific than by granting immediate statehood to these American Territories that our only aim is to establish their freedom and that we seek no

imperialistic concessions. It was Dr. T. F. Tsiang, representative of Nationalist China on the Security Council of the United Nations, who, in responding last August to Jacob Malik, of Russia, declared that, unlike Russia, the United States never sought political or economic concessions in China. Our action in giving complete independence to the Philippines is further evidence of our purpose.

Soviet propaganda iterates and reiterates the colonial lie. Statehood now for Alaska and Hawaii will be the very best proof that we can give that military success in Korea now coming to our Armed Forces and to those of the United Nations will mean freedom, both politically and economically, to the people of Asia.

More than that, however, statehood for these two Territories will be the redemption of our historic pledges and our party platform pledges. Furthermore, by providing complete self-government through statehood, we will be immeasurably strengthening national defense in the extreme outposts of our national Territory.

These are the factors of international policy and of national defense which prompt me to urge upon the Senate that, before this Congress is adjourned, we shall give proof of our good faith to all the peoples of the Pacific and to all the peoples of the world represented in the Assembly of the United Nations by taking up for immediate consideration the two statehood bills. This will be a message of peace and freedom that no iron curtain can withhold from the peoples of Asia and of Communist-dominated territory.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. CORDON. I wish to associate myself with the sentiments expressed by the senior Senator from Wyoming with reference to both these statehood bills. I think it will be most unfortunate if the Congress adjourns before both these bills have been given adequate consideration.

I regret that they have met with delay, delay, delay, ever since the session opened. They were on the calendar when the present session opened; they were passed by the House of Representatives last year.

I wish to say that the Senator from Wyoming has done all he could do, both in connection with the hearings, where there was also delay, to conclude the hearings, which were somewhat extended, and also to secure consideration of the bills on this floor.

I say in all fairness that the majority in control of proposed legislation on the floor of the Senate has need to explain the delay which, so far as I can see, was unnecessary, uncalled for, and most unfortunate.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from New York.

Mr. LEHMAN. I also wish to associate myself with the remarks of the distinguished Senator from Wyoming. I listened for nearly 3 weeks to the hearings on the Alaska statehood proposal. I was

deeply impressed with the quality and the persuasiveness of the testimony. I think it was clearly shown that the people of both Hawaii and Alaska are fully qualified for citizenship and for statehood, and that they will become, in their new States, important factors in the economic and political life of this country.

Mr. O'MAHONEY. I thank the Senator from New York. I know he has other things to say in regard to this matter. However, in view of the fact that the time is limited, and in view of the further fact that I have taken 14 minutes which should have been available to the opposition to the Great Lakes shipping bill which is now before the Senate, I am going to yield the floor.

I think the Senator from Delaware and the Senator from Pennsylvania wish to speak.

The VICE PRESIDENT. The Senator from Washington and the Senator from Wyoming have control of the time.

Mr. MAGNUSON. Mr. President, will the Senator from Wyoming permit me to associate myself, also, with his remarks, in which he has expressed views similar to my own?

The VICE PRESIDENT. The Senator can allocate the time, but he cannot yield for speeches in his time.

Mr. O'MAHONEY. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. O'MAHONEY. Will the Chair state how much time is left for the Senator from Washington?

The VICE PRESIDENT. The Senator from Washington has 7 minutes remaining. The Senator from Wyoming has 11 minutes remaining.

Mr. O'MAHONEY. I yield the remainder of my time to the Senator from Delaware, who is a member of the committee.

Mr. President, the Senator from Minnesota was on his feet, and I think the Senator from Washington was about to yield to him.

I wish to say that I shall bring up the statehood bills immediately following the vote on the pending bill, if I then succeed in obtaining the floor.

Mr. THYE. Mr. President—

The VICE PRESIDENT. The Senator from Minnesota is recognized for 10½ minutes.

Mr. THYE. Mr. President, I, too, would like to associate myself with the statement just made by the very able senior Senator from Wyoming relative to statehood for both Alaska and Hawaii, and likewise with the very able statement made by the senior Senator from Oregon [Mr. CORDON].

DEVELOPMENT AND MAINTENANCE OF AMERICAN-FLAG SHIPPING ON THE GREAT LAKES

The Senate resumed the consideration of the bill (H. R. 8847) to aid the development and maintenance of American-flag shipping on the Great Lakes, and for other purposes.

The VICE PRESIDENT. The Chair wishes to state that he misunderstood the situation. The Senator from Wyoming yielded to the Senator from Dela-

ware, not to the Senator from Minnesota.

Mr. THYE. Mr. President, the Senator from Washington has charge of the time on one side, and the Senator from Wyoming has charge of the time on the other. The Senator from Washington yielded time to me.

The VICE PRESIDENT. The Chair did not recognize the Senator from Washington to yield to any other Senator. The Chair recognized the Senator from Wyoming, and he yielded to the Senator from Delaware.

The Chair, by mistake, recognized the Senator from Minnesota.

The Senator from Washington still has 7 minutes remaining, which he can yield to the Senator.

Mr. THYE. Mr. President, let me say to the Chair, most respectfully, that the Senator from Wyoming yielded the floor; and then I addressed the Chair and was recognized.

The VICE PRESIDENT. The Senator from Minnesota is mistaken. The Chair has no right to recognize the Senator from Minnesota or any other Senator unless he was yielded to by the Senator from Wyoming or by the Senator from Washington.

The Senator from Wyoming yielded 11 minutes, the remainder of his time, to the Senator from Delaware. The Chair by mistake stated that he recognized the Senator from Minnesota, instead of the Senator from Delaware.

Mr. THYE. Mr. President, I accept the mistake, and I am sorry. I shall take my seat.

The VICE PRESIDENT. The Chair is sorry. The Senator's rights will be preserved.

Mr. MAGNUSON. Mr. President, I yield the remainder of my time to the Senator from Minnesota.

Mr. O'MAHONEY. Mr. President, that is quite satisfactory to me. My purpose in yielding to the Senator from Delaware was, as I said, to enable him, as a member of the committee which reported the bill, to dispose of the remainder of the time.

The VICE PRESIDENT. It was the Chair's mistake. It seems to the Chair that we can save time now by permitting the Senator from Minnesota to proceed.

Mr. THYE. Mr. President, the proposed legislation to make available to purchasers, for use on the Great Lakes, not more than 10 surplus, war-built vessels, at prices and with allowances similar to those which have been allowed to purchasers of vessels for use on the oceans under the Ship Sales Act of 1946, recognizes the necessity of rebuilding certain vital segments of Great Lakes shipping which were practically eliminated during World War II when national needs were paramount.

It is intended to help restore package freight shipping and passenger service, thus supplementing the bulk cargo shipping, which now is amply served on the Great Lakes.

It is intended to encourage revival of what was once an integral part of our inland transportation system, which is essential to the economic future and well-being of the entire Midwest, and, in particular, of such States as Minnesota.

The opponents claim that this measure would give an unnatural advantage to such Great Lakes shippers or ship operators. However, I wish to call their attention to the fact that the pending bill would provide direct encouragement to Great Lakes ship operators in connection with the reestablishment of package shipping on the Great Lakes, although actually in a most limited way, involving only 10 ships, or less than 1 percent of the number which were sold to foreign buyers. In reality, the bill would afford to Great Lakes ship operators, as Americans, only substantially the same rights and benefits already granted in the sale of 700 ships to American owners for ocean operation and in the sale of over 1,100 to foreign-flag operators. I believe the policy under which these ocean-going ships were sold and under which allowances made for conversion—the purpose being to encourage an American merchant marine and to replace the vast losses in shipping facilities during the war—was entirely sound and in keeping with the national interest.

I have been informed by the Maritime Administration that from 1945 to the present time, 752 ships of all types have been sold for scrap, including those damaged during the war, obsolete ships and those of insufficient value to be utilized for shipping. The Government has recovered slightly over \$18,000,000 for all these ships, which cost many times that amount originally although the figures are not available. Let me repeat that the Government has recovered slightly more than \$18,000,000 for all those ships. To allow any of the ships in the present laid-up fleet to deteriorate to the point where they can only be sold for scrap would certainly be far from economical.

Ten ships would be made available for conversion to Great Lakes use under this bill. That is six-tenths of 1 percent of the number of ships sold for ocean-going purposes. This encouragement of Great Lakes shipping is equally sound in the encouragement of private American industry and equally in keeping with the national interest.

It is also true, as opponents of Great Lakes shipping claim, that restoration of package freight service on the Great Lakes would mean more competition for existing forms of transportation. Freight can be carried on the Great Lakes at substantially lesser cost than offered by other mediums, and that is exactly one major reason it is so essential to areas that suffer because of present rail transportation costs. It would, however, actually supplement rail transportation in the area served, and would give a better balanced and more adequate transportation system at a time when added facilities are badly needed.

A third argument is used against the Great Lakes shipping bill, namely, that it means financial loss to the Government. Enactment of this bill would require no appropriation of public funds. On the contrary, the Government will receive money for vessels deteriorating in laid-up fleets which annually cost large sums to maintain and which would eventually be sold for scrap at a small fraction of the original cost without any resulting transportation benefits. Conversion of

10 ships to lake use would give jobs to thousands of seamen, longshoremen, and shipyard workers on the Great Lakes. It will revive commerce and trade throughout the vast Great Lakes area. In addition, operation of these ships will increase tax payments to the Treasury. It is legislation which will give substantial benefits without cost to the Government.

In 1939 there were 24 ships on the Lakes engaged in package-freight trade and 19 vessels carrying passengers. Today demand for package-freight and passenger service is greater than ever. But now there are no package-freight vessels on the Lakes, and only one, the *Milwaukee Clipper*, which handles some package freight, but is mainly a passenger vessel. There are eight wooden passenger vessels so old, in fact, the Government could not use them for war purposes.

The argument has been made that these 10 ships should not be converted to Great Lakes use as this would weaken national defense in a time of crisis. Exactly the opposite is true.

The National Security Resources Board has recently urged such use of these ships as in the interests of national defense in providing more flexibility in our transportation system. They would, in fact, continue to be available to the Government in our national defense program.

The VICE PRESIDENT. The time of the Senator from Minnesota has expired.

Mr. THYE. Mr. President, I ask unanimous consent that the remainder of my statement be printed in the Record as part of my remarks.

There being no objection, the remainder of Mr. THYE's statement was ordered to be printed in the Record, as follows:

There are 1,602 Liberty ships, 36 C-4's, and 163 Victory ships in the laid-up fleet at the present time. The Navy has recently requisitioned a number of these ships, but it is significant that not one single C-4 was so requisitioned as these ships were intended for coastwise use. They would be usable on the Great Lakes under the conversion program, but it should be remembered that the Lakes ship operators have not confined their interest to such ships alone.

It is impossible for ship operators to build ships for these trades today because of high capital outlay required for new vessel construction. This has resulted in total destruction of package-freight commerce on the Lakes and stops ship operators, despite urgent public demand in several highly congested traffic areas, from providing greatly needed passenger service.

Great Lakes ship operators have been unable to take advantage of the prices established under the Ship Sales Act because of a technicality in that law. Under that act, allowances up to 99 percent of the sales price of a vessel have been given to recon-vert ships for use in salt-water trades. But the act does not permit, under existing legal interpretations, granting similar allowances to Great Lakes purchasers to convert vessels for use on the Lakes. As ocean vessels require major conversion for use on the Lakes, this has prevented purchase of ships under that act by Lakes operators. The primary effect of the pending legislation would be to remedy this situation.

Its more far-reaching effect would be a substantial beginning in the restoration of package-freight service on the Great Lakes, and that is imperative for the survival of business and industry in one of the most

productive areas of the United States. Unless this or similar legislation is passed, there is little hope for revival of package-freight and passenger shipping on the Great Lakes.

The VICE PRESIDENT. The Senator from Delaware is recognized for the remainder of the time allotted to the Senator from Wyoming.

Mr. WILLIAMS. Mr. President, how much time remains?

The VICE PRESIDENT. Nine minutes.

Mr. WILLIAMS. Mr. President, I shall be as brief as possible, because I understand the senior Senator from Pennsylvania [Mr. MARTIN] also desires to make a statement. But I wanted to make the RECORD straight in reference to this bill, because many conflicting and misleading statements have been made by those who are sponsoring the bill relative to the question of whether it is in accord with the best interests in our national defense. The impression has been given that the defense authorities are in support of this bill.

I may say at this time that I have talked with Admiral Cochrane this morning, the new Administrator for the Maritime Commission. He says that this bill, which proposes to allocate 10 of the C-4's to the Great Lakes shipping industry, would be in direct opposition to the best interest of our national defense. I quote him on the floor of the Senate as so saying. He also pointed out that these C-4's, 10 of which we are proposing to send to the Great Lakes, are the fastest ships in the reserve fleet. In their present condition they could, with very small expenditure, be made ready for transport duty in the services, if needed, and if the war should become more serious. By all means, they should not be transferred to the Great Lakes shipping industry at this time, because if there were a further outbreak of war, there is a possibility that they would have to be reconverted for wartime use, withdrawn from the Great Lakes, and made available for the oceanic service, as they were at the beginning of World War II.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. WILLIAMS. I do not have any time. The facts are that the Senate version of H. R. 8847, which is contained in S. 3109, was reported to the Senate on June 14, 1950, 12 days prior to the outbreak in Korea and the hearings on this bill were completed during the month of March 1950. There have been no hearings on this bill at which the defense authorities were asked to testify since the outbreak in Korea.

The House bill (H. R. 8847) was reported to the House calendar on July 26, 1950. However, the record shows that the hearings on this measure were conducted in the House on March 29, 30, and 31; April 4 and 5; and again on May 18 and 23, prior to the outbreak of war in Korea, at which time consideration was given by the House committee to 33 different bills, all relating to the same subject and resulting in the reporting of H. R. 8847.

Contrary to what the Senator from Washington [Mr. MAGNUSON], the chairman of the Senate subcommittee, has said—and I am speaking as a member

of that subcommittee—there is no letter from the National Security Resources Board contained in either the House or the Senate report expressing any opinion on this legislation. There is a letter in the hearings of the House committee written by Mr. Symington, Chairman of the National Security Resources Board, but it does not endorse this legislation. Here is what Mr. Symington said, in a letter which was written May 12, 1950, prior to the outbreak of the Korean War, and is to be found at page 259 of the House hearings. In that letter, Mr. Symington said:

In response to your second and third questions, the laid-up fleet constitutes a valuable reserve for ocean operation in event of a war emergency. Extensive depletion of that reserve by conversion or transfer to the Great Lakes would be detrimental.

Mr. MAGNUSON. Mr. President, the Senator from Delaware ought to read the entire letter.

Mr. WILLIAMS. The entire letter is available and, while it does not oppose the transfers of slow ships, it certainly does not endorse the transfer of these fast ships. The statement made, that Mr. Symington was in accord with this proposed bill is not in accordance with the true facts, and the senior Senator from Washington knows this full well. Besides, even this partial endorsement was prior to the outbreak in Korea.

I called Mr. Symington's office this morning. He was out of town, but I talked with Mr. Smith, who said that, to his knowledge, the National Security Resources Board had never been consulted or asked for any opinion regarding this proposed legislation since the outbreak of the war in Korea, and that the Board definitely would not endorse sending 10 of the C-4's to the Great Lakes at the present time.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. WILLIAMS. I do not have any time. I am sorry that we are operating under such a limitation of debate, but those who are in opposition have been placed in the position where we have but 9 minutes in which to oppose this bill, though the proponents have used 5 hours.

Mr. MARTIN. Mr. President, will the Senator yield? This matter is very important.

Mr. WILLIAMS. In just one moment. Mr. President, during World War II the ships which were then operating on the Great Lakes were taken over by the Federal Government, but in each instance those ships which were taken over and removed to the coastal area were paid for by the Federal Government at 100 percent of their appraised valuation. Since the war, under the Ship Sales Act of 1946, these companies are eligible to buy from the reserve fleet ships based upon the conditions contained in the Ship Sales Act of 1946 which provides a discount range as high as 65 percent from the wartime cost.

The adoption of this measure, H. R. 8847, which is now before us provides that a further discount will be given to the purchasers of these ships to the extent of 90 percent of the statutory sales price. The statutory sales price of a

ship represents about 35 percent of the wartime cost and if this ship is now further discounted as proposed under this bill by 90 percent, it will mean that the Government will realize about 3½ percent of the cost of the ship.

The type of ship which is being proposed to be transferred to the Great Lakes are C-4's and are the same type ship which will be needed in the event of an outbreak of a full-scale war and there is a strong possibility that if such a development occurs, these same ships which we are proposing to sell for an insignificant sum under this bill, about 3½ percent, or practically given away, will have to be reconverted back to their present condition and moved to the coastal area for convoy use.

I repeat, the adoption of this bill is in direct opposition to the best interest of our national defense, and while the bill was subject to severe criticism on the basis of the extreme subsidy which was being proposed in peacetime, it most certainly should not be passed in the face of the existing emergency.

Mr. President, I yield the remaining time to the Senator from Pennsylvania [Mr. MARTIN].

Mr. MARTIN. Mr. President, after a very careful study of this whole situation, I am fully in agreement with the very able statement made by the senior Senator from Delaware [Mr. WILLIAMS]. I am extremely sorry that we do not have time to present to the Senate the real opposition to the bill. It is unfortunate that we do not have time in which to discuss properly its merits. I want to reiterate what I said last Thursday night: This bill is in opposition to good, sound, national defense. In addition to that, it is truly in opposition to good, sound, transportation facilities for America. The need of such facilities is one of the most important things in the national defense.

Mr. HOLLAND. Mr. President—
Mr. WILLIAMS. Mr. President, how much time has elapsed?

The VICE PRESIDENT. The time has expired.

Mr. WILLIAMS. I suggest the absence of a quorum.

Mr. HOLLAND. Mr. President, will the Senator withhold the suggestion of the absence of a quorum?

The VICE PRESIDENT. The absence of a quorum has been suggested, and the time has expired.

Mr. HUMPHREY. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. HUMPHREY. Do we not have an amendment on the desk, and, therefore, the prerogative of discussing that amendment with 10 minutes on each side?

The VICE PRESIDENT. An amendment is pending.

Mr. HUMPHREY. May that amendment be discussed at this time?

The VICE PRESIDENT. A quorum call has been asked for, and discussion of the amendment will have to be deferred until a quorum is satisfied.

Mr. HOLLAND. I am willing to withhold my suggestion of the absence of a quorum.

Mr. WHERRY. If the Senator withholds it, I shall have to suggest the absence of a quorum.

The VICE PRESIDENT. The Senator from Delaware had already suggested the absence of a quorum. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Anderson	Hill	Martin
Benton	Hoey	Millikin
Cain	Holland	Morse
Chapman	Humphrey	Mundt
Chavez	Hunt	Murray
Cordon	Ives	Neely
Darby	Johnson, Colo.	O'Connor
Donnell	Johnson, Tex.	O'Mahoney
Douglas	Kefauver	Robertson
Dworshak	Kem	Russell
Eaton	Kerr	Saltonstall
Ellender	Kilgore	Schoeppel
Ferguson	Langer	Smith, Maine
Fulbright	Leahy	Stennis
George	Lehman	Thomas, Okla.
Gillette	Long	Thye
Graham	McClellan	Watkins
Green	McFarland	Wherry
Gurney	McKellar	Wiley
Hendrickson	Magnuson	Williams
Hickenlooper	Malone	Young

Mr. MCFARLAND. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Delaware [Mr. FREAR], the Senator from Arizona [Mr. HAYDEN], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Illinois [Mr. LUCAS], the Senator from Connecticut [Mr. McMAHON], the Senator from Pennsylvania [Mr. MYERS], and the Senator from Maryland [Mr. TYDINGS] are absent on public business.

The Senator from California [Mr. DOWNEY] is necessarily absent.

The Senator from Mississippi [Mr. EASTLAND] is absent because of illness.

The Senator from South Carolina [Mr. MAYBANK], the Senator from Florida [Mr. PEPPER], and the Senator from Utah [Mr. THOMAS] are absent by leave of the Senate.

The Senator from Alabama [Mr. SPARKMAN] is absent by leave of the Senate on official business, as a representative of the United States to the fifth session of the General Assembly of the United Nations.

The Senator from Idaho [Mr. TAYLOR] is absent because of illness in his family.

The Senator from Kentucky [Mr. WITHERS] is absent on official business.

Mr. WHERRY. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from New Hampshire [Mr. TOBEY], and the Senator from Michigan [Mr. VANDENBERG] are absent by leave of the Senate.

The Senator from Vermont [Mr. FLANDERS] is absent by leave of the Senate on official business as a temporary alternate governor of the World Bank.

The Senator from Maine [Mr. BREWSTER] and the Senator from New Jersey [Mr. SMITH] are absent by leave of the Senate as representatives of the American group to the Interparliamentary Union.

The Senator from New Hampshire [Mr. BRIDGES] is absent because of illness.

The junior Senator from Ohio [Mr. BRICKER], the senior Senator from Indiana [Mr. CAPEHART], the junior Senator from Indiana [Mr. JENNER], the Senator from California [Mr. KNOWLAND], the Senator from Wisconsin [Mr. Mc-

CARTHY], and the senior Senator from Ohio [Mr. TAFT] are necessarily absent.

The Senator from Massachusetts [Mr. LODGE] is absent by leave of the Senate on official business as a representative of the United States to the fifth session of the General Assembly of the United Nations.

The Senator from Nebraska [Mr. BUTLER] is detained on official business.

The VICE PRESIDENT. A quorum is present.

The question now is on the amendment offered by the Senator from Wyoming [Mr. O'MAHONEY] to strike out the numeral "90" and to insert in lieu thereof the number "75" on page 2, line 24. The time is equally divided, with the Senator from Wyoming [Mr. O'MAHONEY] controlling one-half the time, and the Senator from Washington [Mr. MAGNUSON] the other half.

Mr. MAGNUSON. Mr. President, I yield my time to the Senator from Minnesota [Mr. HUMPHREY].

Mr. O'MAHONEY. Mr. President, I yield my time to the Senator from Delaware [Mr. WILLIAMS] and the Senator from Pennsylvania [Mr. MARTIN], to distribute as they please.

Mr. MARTIN. Mr. President, I should like to make a motion.

The VICE PRESIDENT. The Chair cannot entertain a motion at this time, because the time is equally divided, with 5 minutes allotted to each side. The Senator from Washington has yielded his 5 minutes to the Senator from Minnesota.

Mr. HUMPHREY. Do I understand correctly that 5 minutes is allotted to each side?

The VICE PRESIDENT. That is correct.

Mr. HUMPHREY. Mr. President, in the brief time allotted to me I wish to make a correction in a statement made by the Senator from Delaware [Mr. WILLIAMS]. The Senator from Delaware was quoting from a letter from Mr. W. Stuart Symington, Director of the National Security Resources Board, on the question whether or not the pending legislation would be in violation of the best principles of our national defense. The Senator from Delaware quoted from Mr. Symington's message on the value of a reserve fleet for ocean operation in the event of a war emergency. However, he did not read the full statement and I should like to read it at this time:

In response to your first question, there would be advantage in having additional shipping on the Lakes to provide a more flexible transportation system to meet possible emergency demands.

In response to your second and third questions, the laid-up fleet—

This is what the Senator from Delaware quoted—

constitutes a valuable reserve for ocean operation in the event of a war emergency. Extensive depletion of that reserve—

I underline the words "extensive depletion"—

by conversion or transfer to the Great Lakes would be detrimental. However, if only a few ships comprise the total transferred under the proposed bill and other legislation, the security objections would be obviated, since the delay caused by retransfer or reconversion would not be great.

Mr. KILGORE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I have only 5 minutes.

Mr. KILGORE. I have only one question to ask.

Mr. HUMPHREY. Very well.

Mr. KILGORE. Has the Senator made a study of the increased longevity of hulls and machinery in fresh-water operation as compared with salt-water operation? I think the Senator will discover that steamers last about five times longer in fresh-water operation than they do in salt-water operation. Therefore steamers used in the Great Lakes service would probably have a greater longevity.

Mr. HUMPHREY. I appreciate the observation of the Senator from West Virginia.

Mr. President, this issue concerns our national defense. Let us make no mistake about it. I wish to point out to this honorable body that one of our greatest transportation systems is the Great Lakes inland waterway system. This great inland waterway system touches upon the coastlines of the States in which much of our industrial establishment is located, and serves our great industrial cities of Chicago, Pittsburgh, Cleveland, Milwaukee, and Detroit. Great industries are located on the Great Lakes, and to leave that great body of water without adequate shipping facilities would be stark tragedy in view of the international crisis.

What good are ships when they are tied up and rotting and rusting at Government expense? On the Great Lakes the ships can be of use in moving grain. At this very time in the Midwestern States there are millions of bushels of grain for which there are no boxcars are being provided. That grain cannot be moved. The conversion of these ships would make it possible to move the grain. In a period of emergency that grain may be very important. It is important that we have additional ships on the Great Lakes, and it will be indeed very important to move materials quickly from one part of the country to another.

I can see that there may be some objection from some persons on the basis that it might interfere with railroad-ing, trucking, or other forms of transportation. However, Mr. President, I submit it is the duty of the Senate to provide for the total national defense and for the total welfare, and not give consideration to a particular form of transportation which may at some future time have some difficulty if this kind of legislation passes. The railroads have all the business they can take care of, and then some. They cannot even haul all the grain that awaits shipment. They have been grossly negligent in providing boxcars, at great loss to the American economy.

So far as coastal shipping is concerned, coastal shipping companies already have 700 of these ships. One thousand one hundred ships have gone to foreign countries. By the way, in connection with those ships, conversion costs have gone as high as 99 percent of the allowance.

At this point, Mr. President, I ask unanimous consent to have printed in the body of the RECORD as part of my remarks

a report issued by the Maritime Commission showing allowances granted to shipping companies in the conversion of the ships involved.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Vessel name	Type of vessel	Selling price under Ship Sales Act of 1946	Allowance granted to purchaser by Maritime Commission	Percent of allowance to ship sales price
Deltargentino.....	P&C (C3) S	\$1,505,143	\$1,488,143	99
Delbrasil.....	P&C (C3) S	1,505,143	1,488,143	99
Lamar.....	C3-S-A2	1,280,730	1,229,560	96
Alhena.....	C2 (S)	1,073,669	995,000	93
Dauphin.....	C3-S-A3	1,100,387	949,000	86
Sea Barb.....	C3-S-A2	1,280,730	1,079,023	84
Del Santos.....	C2-F-(S)	957,818	787,476	82
Sea Bass.....	C3-S-A2	1,280,730	1,037,378	81
Starlight.....	C2-S-AJ1	957,818	769,488	80
Bolivar.....	C3-S-A2	1,280,730	1,014,897	79
Sheliak.....	C2-S-B1	957,818	754,539	79
Custer.....	C3-S-A2	1,280,730	1,002,113	78
War Hawk.....	C2-S-B1	957,818	749,138	78
Queens.....	C3-S-A3	1,100,387	847,800	77
Callaway.....	C3-S-A2	1,280,730	995,206	77
Clay.....	C3-S-A2	1,280,730	993,588	77
Cherubim.....	C2-S-B1	957,818	742,247	77
Herald of the Morning.....	C2-S-B1	957,818	721,632	75
Wing Arrow.....	C2-S-B1	957,818	724,577	75
Pierce.....	C2-S-B1	970,918	728,024	75
Ormsby.....	C2-S-B1	970,918	705,961	72
Sheridan.....	C2-S-B1	970,918	699,421	72
Golden City.....	C2-S-B1	957,818	682,172	71
John Land.....	C2-S-B1	957,818	659,154	69
Comet.....	C2-S-B1	957,818	661,704	69
Sea Cat.....	C3-S-A2	1,280,730	876,103	68
Sea Runner.....	C3-S-A2	1,280,730	844,455	66
Hotspur.....	C2-S-B1	957,818	632,543	66
Griggs.....	C3-S-A2	1,280,730	779,531	61
Sea Flier.....	C3-S-A2	1,280,730	767,128	60
Grundy.....	C3-S-A2	1,280,730	775,117	60
Dashing Wave.....	C2-S-B1	957,818	563,940	59
Young America.....	C2-S-B1	957,818	556,909	58
Sea Devil.....	C3-S-A2	1,280,730	737,589	57
Typhoon.....	C2-S-B1	957,818	547,703	57
Sea Star.....	C3-S-A2	1,280,730	698,547	54
Theonim.....	C2-S-B1	983,212	538,644	54
Robin Doncaster.....	C2 (S)	1,073,669	509,436	47
Howell Lykes.....	C3 (cargo)	1,280,730	575,387	45
Hawaiian Shipper.....	Cargo	1,280,730	580,252	45
Centarus.....	C2-S-B1	985,916	393,732	40
Hansford.....	C3-S-A3	1,280,730	477,014	37
Hamblen.....	C2-S-A3	1,280,730	367,922	28
Meteor.....	C3-S-B1	977,866	211,257	21
Montour.....	C3-S-A3	1,280,730	114,009	9

Mr. HUMPHREY. What we are asking for is favorable consideration and equal treatment for our inland waterways, on which the great population of our country resides and works.

The VICE PRESIDENT. The time of the Senator from Minnesota has expired. The Senators from Delaware and Pennsylvania are recognized for the next 5 minutes, the time to be divided according to their own wishes.

Mr. MARTIN. Mr. President, as I stated the other evening, in my State there is a large segment very favorable to the pending bill because we are on Lake Erie, which is one of the important lakes of the Great Lakes system. But there are other features to the bill.

This bill grants one of the heaviest subsidies ever suggested to Congress. It involves a grant to private operators of 10 vessels worth originally \$4,400,000 each, with eventual investment on their part of only \$165,000 each.

Congress, in 1940, set up a national transportation policy which requires equality of treatment for all forms of transportation. Government aid to any form of domestic transportation is directly opposed to the public interest.

There is no need for this service because, at the outbreak of World War II, package freight on the Great Lakes had diminished to such an extent that it was practically nonexistent. At the present time, package freight in the Lakes area is moved by rail or truck, and there is no lack of such service or facilities. This is purely an effort on the part of certain private shippers to reinstitute package freight service on the Lakes, even though they will not use the service so that they can use the noncompensatory low water rate as a lever to force down the rail and truck rates in those areas.

Aside from any other argument for or against this type of legislation, certainly this is not the time, with a third world war brewing, to convert ocean-going vessels to lake carriers for the noneconomic carriage of passengers and package freight.

Mr. President, how much time do I have left?

The VICE PRESIDENT. There are 3 minutes left.

Mr. SALTONSTALL. Mr. President, will the Senator from Pennsylvania yield?

Mr. MARTIN. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. The Senator stated the bill would result in a greater subsidy for these vessels to be used on the Great Lakes. Can the Senator give the difference in figures?

Mr. MARTIN. I am sorry I cannot. But I shall be very glad to secure the figures and insert them in the RECORD.

I wish to impress on the Senate the fact that since the hearing ceased on the bill we have started what is probably going to be a third great war. I think the time has come when the people of America, and particularly the Members of the House and the Senate, must give serious consideration to everything as it relates to the war effort.

We will need shipping, we will need transportation for soldiers and for equipment for soldiers. I hope that all Senators will very carefully go into the question of the transportation by air to the Korean area. I think what has been done in that regard has been one of the greatest exploits in military history. But even using practically all our air power, those in charge have been able to equip and transport possibly only 50,000 soldiers. If it is necessary to make a movement into western Europe, it will be necessary for us to transport 20 and perhaps 30 times that number of troops, with their equipment.

Mr. President, I believe most Senators appreciate that the equipment of troops requires more transportation than was required even at the beginning of World War II. Tanks are heavier, trucks are heavier, and more ammunition, more bombs, and things of that kind, are needed. A few weeks' delay will not be very important. I am fearful that we are not taking into consideration the necessity of fast moving ships for the carriage of equipment.

Only a few days ago the Committee on Appropriations authorized two fast ships. I am fearful those ships may be needed immediately.

Mr. President, I fear we have not given this subject sufficient consideration, and

therefore I move that the bill be recommended to the committee for further consideration.

The VICE PRESIDENT. The Senator from Pennsylvania moves that the bill be recommended to the Committee on Interstate and Foreign Commerce. That motion takes precedence.

Mr. MARTIN. Mr. President, as I understand, there will be 5 minutes on each side for the discussion of the motion.

The VICE PRESIDENT. Five minutes on a side.

Mr. MARTIN. I yield my time to the senior Senator from Delaware.

The VICE PRESIDENT. The Senator from Delaware is recognized for 5 minutes.

Mr. WILLIAMS. Mr. President, I rise in support of the motion made by the Senator from Pennsylvania to recommit the bill. I repeat, there has been no testimony on the bill since the outbreak in Korea.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield to the Senator from Virginia.

Mr. ROBERTSON. Will not the Senator speak louder? Due to the noise in the Chamber, we cannot hear, and we would like to hear what he says.

The PRESIDING OFFICER. The Chair will try to help suppress the noise, if the Senate will cooperate. The Senate will be in order.

Mr. WILLIAMS. Mr. President, there has been no testimony from either the National Security Resources Board or anyone else connected with the national defense in support of the pending bill. Mr. Stuart Symington, the Chairman of the National Security Resources Board, said he would have no objection to the allocation of some ships to the Lakes, but he certainly has not and does not recommend the transfer of these fast C-4's. Certainly not at a loss to the Government of 96½ percent of their cost. There are some 1,500 Liberty ships in the fleet, but these shipping companies have testified they are not interested in those slower ships.

I challenge anyone to place in the RECORD a statement by Mr. Symington or Admiral Cochrane of the Maritime Board, or anyone from the Navy Department, or anyone else in authority to the effect that they approve transferring these C-4 ships to the Great Lakes. Such an endorsement does not exist.

Another argument in favor of recommitment is that there is nothing that could be done so far as this year is concerned. Recommitment of the bill would not result in injury if we waited until January and reopened the hearings in order to get the officials of the National Defense Department before the committee and get their testimony as to what they favor, because the Lakes will be frozen in a few months and will remain frozen until spring.

Mr. President, I urge that the motion to recommit be agreed to.

Mr. MAGNUSON. Mr. President—The VICE PRESIDENT. The Senator from Washington is recognized for 5 minutes.

Mr. MAGNUSON. I will not take much longer. I hope the motion will not prevail. There has been much discus-

sion of the bill, and I think there has been much misunderstanding of what the bill attempts to do.

All this talk about the defense of the Nation of course has nothing to do with this bill at all. If Admiral Cochrane does not want to transfer these ships to the Great Lakes, he has full authority to say no; and the Senator from Delaware knows that to be so. The Secretary of Defense, under the Ship Sales Act, has full authority to say to the Maritime Board, "You shall not transfer any of the thousands of laid-up ships." Anyone familiar with the Ship Sales Act knows that, too. So, if these 10 ships are to be valuable for national defense, all the Secretary of Defense has to say is that they are needed somewhere else, and they will not be transferred.

Everyone wanting a ship, whether it is for ocean carriage or for service on the Great Lakes, must ask the Secretary of Defense, "Is this ship valuable for national defense?" So what is the use talking about that?

Second, maritime activity on the Great Lakes has something to do with defense, too.

Third, the Senator from Pennsylvania put his finger on the important point. If there are some maritime package freight ships on the Great Lakes, he says that might have the effect of lowering the railroad freight rates and the truck rates. If that is what the bill would do, I hope it may be enacted and have that effect.

Of course, it is going to result in competition with some of the railroads, but they competed for years, and the Government put those ships away. I do not know who the private operators are who want them. They have to make application to the Maritime Board. The Maritime Board has to grant them a contract, under the terms of the law, and give them the same terms given other buyers.

Mr. LONG. Mr. President, will the Senator yield?

Mr. MAGNUSON. In a moment. If the Maritime Board says they are not going to transfer these ships, the ships will not be transferred. If the prospective buyer secures the approval of the Board he must ask the Secretary of Defense whether or not these ships are necessary for actual defense, and if the Secretary of Defense says yes, there is no contract. That is all the bill means.

Mr. President, the Government has on hand some ships which were built, surely at the cost of a considerable sum of money. We pay great sums of money for ships that ocean-going subsidized and nonsubsidized lines are operating. We pay subsidies for a merchant marine. But the subsidies which keep our entire merchant marine alive are not a cent greater than the subsidy we paid on cheddar cheese last year.

Mr. President, we need a merchant marine on the ocean. We need one on the Great Lakes. Reference has been made to competition with the railroads. The railroads cannot move all the grain in the Midwest and Northwest. Some of it is lying on the ground. I wish we could put 40 ships on the Great Lakes to move the grain. The railroads will not even build enough boxcars to move the grain from far back in the Great Lakes

area all the way to my State of Washington.

Mr. President, even though the Defense Department says the ships are not needed now for national defense in Korea or after Korea, they cannot be used unless the bill is passed. They are now in the laid-up fleet. We have never had an offer for them since World War II, and here there is a chance to use them. The ship operators will pay for the reconversion costs themselves. If they receive a Federal mortgage, they must pay it back. In the meantime they will be operating the ships on the Great Lakes, employing many persons, and paying some taxes into the Government, whereas now the ships are costing the Government money and there is no return from them. If they are needed for defense, neither the Maritime Board nor the Secretary of Defense will sell them. That is all the bill amounts to, unless Senators wish to talk about competition with railroads and trucks, a subject on which we could spend considerable time.

The VICE PRESIDENT. The question is on the motion of the Senator from Pennsylvania [Mr. MARTIN] to recommit the bill.

Mr. WILLIAMS. Mr. President, on that motion I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. McFARLAND. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Delaware [Mr. FREAR], the Senator from Arizona [Mr. HAYDEN], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Illinois [Mr. LUCAS], the Senator from Connecticut [Mr. McMAHON], the Senator from Pennsylvania [Mr. MYERS], and the Senator from Maryland [Mr. TYDINGS] are absent on public business.

The Senator from California [Mr. DOWNEY] is necessarily absent.

The Senator from Mississippi [Mr. EASTLAND] is absent because of illness.

The Senator from South Carolina [Mr. MAYBANK], the Senator from Florida [Mr. PEPPER], and the Senator from Utah [Mr. THOMAS] are absent by leave of the Senate.

The Senator from Alabama [Mr. SPARKMAN] is absent by leave of the Senate on official business as a representative of the United States to the fifth session of the General Assembly of the United Nations.

The Senator from Texas [Mr. CONNALLY], the Senator from Nevada [Mr. McCARRAN], and the Senator from Kentucky [Mr. WITHERS] are absent on official business.

The Senator from Idaho [Mr. TAYLOR] is absent because of illness in his family.

On this vote, the Senator from Delaware [Mr. FREAR], the Senator from Illinois [Mr. LUCAS], and the Senator from Maryland [Mr. TYDINGS] would vote "nay."

Mr. WHERRY. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from New Hampshire [Mr. TOBEY], and the Senator from Michigan [Mr. VANDENBERG] are absent by leave of the Senate.

The Senator from Vermont [Mr. FLANDERS] is absent by leave of the Sen-

ate on official business as a temporary alternate Governor of the World Bank.

The Senator from Maine [Mr. BREWSTER] and the Senator from New Jersey [Mr. SMITH] are absent by leave of the Senate as representatives of the American group to the Interparliamentary Union.

The Senator from New Hampshire [Mr. BRIDGES] is absent because of illness.

The junior Senator from Ohio [Mr. BRICKER], the senior Senator from Indiana [Mr. CAPEHART], the junior Senator from Indiana [Mr. JENNER], the Senator from California [Mr. KNOWLAND], the Senator from Wisconsin [Mr. MCCARTHY], and the senior Senator from Ohio [Mr. TAFT] are necessarily absent.

The Senator from Massachusetts [Mr. LODGE] is absent by leave of the Senate on official business as a representative of the United States to the fifth session of the General Assembly of the United Nations.

The Senator from Nebraska [Mr. BUTLER] is detained on official business.

The result was announced—yeas 14, nays 49, as follows:

YEAS—14

Donnell	Kem	Saltonstall
Dworchak	McKellar	Watkins
Ecton	Malone	Wherry
Gillette	Martin	Williams
Hoey	Robertson	

NAYS—49

Anderson	Hill	Millikin
Benton	Holland	Morse
Cain	Humphrey	Mundt
Chapman	Hunt	Murray
Chavez	Ives	Neely
Cordon	Johnson, Colo.	O'Connor
Darby	Johnson, Tex.	O'Mahoney
Douglas	Kefauver	Russell
Ellender	Kerr	Schoeppel
Ferguson	Kilgore	Smith, Maine
Fulbright	Langer	Stennis
George	Leahy	Thomas, Okla.
Graham	Lehman	Thye
Green	Long	Wiley
Gurney	McClellan	Young
Hendrickson	McFarland	
Hickenlooper	Magnuson	

NOT VOTING—33

Aiken	Frear	Myers
Brewster	Hayden	Pepper
Bricker	Jenner	Smith, N. J.
Bridges	Johnston, S. C.	Sparkman
Butler	Knowland	Taft
Byrd	Lodge	Taylor
Capehart	Lucas	Thomas, Utah
Connally	McCarran	Tobey
Downey	McCarthy	Tydings
Eastland	McMahon	Vandenberg
Flanders	Maybank	Withers

So Mr. MARTIN's motion to recommit the bill was rejected.

The VICE PRESIDENT. The question is on the third reading and passage of the bill.

Mr. WILLIAMS. Mr. President, is there any time left on the bill?

The VICE PRESIDENT. Five minutes on the side.

Mr. WILLIAMS. Mr. President, I am not going to take 5 minutes. I merely want to point out to the Senate that what we are doing, if we pass the bill, is to authorize the sale of 10 C-4's—the fastest ships of our reserve fleet—and that such action is in direct opposition to the recommendations of the Defense Department. This proposal is not in accord with the best interest of national defense. It is not selling to the Great Lakes 10 of the slower Liberty ships, it is

intended to sell to them 10 of the fastest ships in our reserve fleet for 3½ percent of the original cost. As the Senate passes the bill authorizing a subsidy of 96½ percent on the construction cost of the ships to be used in the Great Lakes shipping industry, I want Members to ask themselves this one question: How much closer can we get to 100 percent without nationalization of our shipping industry?

Mr. FERGUSON. Mr. President, I hope the Senate will pass the bill. It is only an authorization to make a sale. The full control over whether or not the sale will be made, and when it will be made, will be in the hands of those who are interested in control of our national defense. I hope Congress at least will authorize the sale.

The VICE PRESIDENT. The question is on the third reading and passage of the bill.

The bill (H. R. 8847) was ordered to a third reading, read the third time, and passed.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that Senate bill 3109 be indefinitely postponed.

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT— APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on September 18, 1950, the President had approved and signed the act (S. 4135) to authorize the President to appoint Gen. Omar N. Bradley to the permanent grade of General of the Army.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 2477. An act to amend title 14, United States Code, so as to equalize pay and retirement benefits of a certain class of commissioned officers of the Coast Guard;

S. 2609. An act to provide a system for the treatment and rehabilitation of youth offenders, to improve the administration of criminal justice, and for other purposes;

S. 2724. An act to amend the Armed Forces Leave Act of 1946, as amended, and for other purposes;

S. 2875. An act to extend for a period of 5 years the time for appropriating and expending funds to carry out the Federal Airport Act;

S. 3000. An act to amend the War Claims Act of 1948, as amended;

S. 3123. An act to amend section 5 of the act of February 26, 1944, entitled "An act to give effect to the Provisional Fur Seal Agreement of 1942 between the United States of America and Canada; to protect the fur seals of the Pribilof Islands; and for other purposes";

S. 3136. An act to authorize the Secretary of the Interior to transfer to the town of Mills, Wyo., a sewage system located in such town;

S. 3398. An act to authorize the exchange of certain land for purposes of the Colonial National Historical Park, and for other purposes;

S. 3706. An act to amend the act of May 28, 1926 (44 Stat. 670), entitled "An act granting public lands to the county of Kern, Calif., for public park purposes";

S. 3728. An act to implement Reorganization Plan No. 20 of 1950 by amending title

1 of the United States Code, as regards publication of the United States Statutes at Large, to provide for the publication of treaties and other international agreements between the United States of America and other countries in a separate compilation, to be known as United States Treaties and Other International Agreements, and for other purposes;

S. 3768. An act to authorize payments by the Administrator of Veterans' Affairs on the purchase of automobiles or other conveyances by certain disabled veterans, and for other purposes;

S. 3889. An act to increase the amount of Federal aid to State or Territorial homes for the support of disabled soldiers and sailors of the United States; and

S. 4088. An act to amend section 61 of the National Defense Act to permit the States to organize military forces, other than as parts of their National Guard units, to serve while the National Guard is in active Federal service.

The message also announced that the House insisted upon its amendments to the bill (S. 3357) to prohibit transportation of gambling devices in interstate and foreign commerce, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. BECKWORTH, Mr. PRIEST, Mr. ROGERS, Mr. BENNETT of Michigan, and Mr. DOLLIVER were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 5244) for the relief of Lt. Col. Charles J. Trees, Army of the United States; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. BYRNE of New York, Mr. DENTON, and Mr. KEATING were appointed managers on the part of the House at the conference.

The message also announced that the House had severally agreed to the amendment of the Senate to the following bills of the House:

H. R. 577. An act to correct possible inequity in the case of a certain application for letters patent of William R. Blair;

H. R. 1133. An act for the relief of Mrs. Merle Leatherbury Pyle and Patricia M. Pyle;

H. R. 1500. An act for the relief of Mrs. Barbara Guanapoulos;

H. R. 1601. An act for the relief of the La Fayette Brewery, Inc.;

H. R. 3012. An act for the relief of the Wyoming National Bank of Wilkes-Barre;

H. R. 5101. An act to provide for the transfer to Pierce County, Wash., of certain surplus land in the Fort Lewis Military Reservation;

H. R. 8062. An act for the relief of the legal guardian of Charles Spiller and Glenn T. Spiller, minors; and

H. R. 8641. An act for the relief of Clyde L. Watson, Jr., and Laverne F. Andrews.

The message further announced that the House had agreed to the amendments of the Senate to each of the following bills of the House:

H. R. 3406. An act for the relief of Ellen Fullard-Leo; and

H. R. 8677. An act to authorize and provide for the maintenance and operation of the Panama Canal by the present corporate adjunct of the Panama Canal, as renamed; to reconstitute the agency charged with the civil government of the Canal Zone, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

H. R. 1133. An act for the relief of Mrs. Merle Leatherbury Pyle and Patricia M. Pyle;

H. R. 1500. An act for the relief of Mrs. Barbara Guanapoulos;

H. R. 1601. An act for the relief of the La Fayette Brewery, Inc.;

H. R. 3012. An act for the relief of the Wyoming National Bank of Wilkes-Barre;

H. R. 3406. An act for the relief of Ellen Fullard-Leo, widow of Leslie Fullard-Leo, Leslie Vincent Fullard-Leo, Dudley Leinane Fullard-Leo, and Ainsely Allen Kahealani Fullard-Leo, and the estate of Leslie Fullard-Leo, deceased, as their interests may appear;

H. R. 4901. An act authorizing the Eastern Band of Cherokee Indians, North Carolina, to lease certain lands for business purposes for a period not exceeding 25 years;

H. R. 7722. An act to provide for the acquisition and preservation, as a part of the National Capital Parks system, of the Old Stone House in the District of Columbia;

H. R. 8062. An act for the relief of the legal guardian of Charles Spiller and Glenn T. Spiller, minors;

H. R. 8641. An act for the relief of Clyde L. Watson, Jr., and Laverne F. Andrews;

H. R. 8677. An act to authorize and provide for the maintenance and operation of the Panama Canal by the present corporate adjunct of the Panama Canal, as renamed; to reconstitute the agency charged with the civil government of the Canal Zone, and for other purposes;

H. R. 8710. An act to provide for the improvement of stadium facilities at the Eastern Senior High School in the District of Columbia;

H. R. 8797. An act to exempt property of the Young Men's Christian Association of the City of Washington (incorporated under the act of Congress of June 28, 1864, 13 Stat. L. 411) from taxation;

H. R. 9362. An act to provide for the exchange of certain national park land situated in the District of Columbia for certain lands owned by the New Temple Committee, Inc.;

H. R. 9430. An act to amend the act entitled "An act to authorize certain administrative expenses in the Government service, and for other purposes," approved August 2, 1946 (60 Stat. 806), to simplify administration in the Government service, and for other purposes; and

H. J. Res. 536. Joint resolution to provide for the reappointment of Harvey N. Davis and Arthur H. Compton as members of the Board of Regents of the Smithsonian Institution.

LEAVE OF ABSENCE

On his own request, and by unanimous consent, Mr. HICKENLOOPER was excused from attendance on the sessions of the Senate for the remainder of today and tomorrow.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

REPORT ON UNITED STATES CIVIL DEFENSE

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read, and, with the accompanying report, ordered to lie on the table.

(For President's message, see today's proceedings of the House of Representatives on p. 15041.)

REPORT OF TORT CLAIMS PAID BY PANAMA CANAL

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Army, transmitting, pursuant to law, a report of tort claims paid by the Panama Canal, for the period July 1, 1949, to June 30, 1950, which, with the accompanying report, was referred to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate and referred as indicated:

By the VICE PRESIDENT:

A resolution adopted by the St. Paul Trades and Labor Assembly, St. Paul, Minn., relating to excess-profit taxes; to the Committee on Finance.

A resolution adopted by the board of trustees and the national council of the National Association of Life Underwriters, at Oklahoma City, Okla., protesting against the enactment of legislation providing compulsory health insurance; to the Committee on Labor and Public Welfare.

The petition of Harry Livingston Relf, of Decatur, Ga., praying for the passage, over the veto of the President, of the bill (H. R. 6217) to provide greater security for veterans of the Spanish-American War, including the Boxer Rebellion and Philippine Insurrection, in the granting of out-patient treatment by the Veterans' Administration; ordered to lie on the table.

ADDITIONAL APPROPRIATIONS FOR PHILIPPINE WAR DAMAGE COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of State, transmitting a concurrent resolution adopted by the Second Congress of the Republic of the Philippines, relating to an additional appropriation for the Philippine War Damage Commission, which was referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Concurrent Resolution No. 12

Concurrent resolution expressing the support of the Congress of the Philippines for the bill in the American Congress to appropriate an additional sum of \$100,000,000 for the Philippine War Damage Commission and requesting the President of the Philippines to negotiate for a 1-year extension of the program of said commission to restore damaged public property

Whereas a bill is under consideration in the American Congress to provide for an additional \$100,000,000 for war damage payments in the Philippines;

Whereas the enactment of said bill will restore in fuller measure the damages sustained by the Filipino people during the last war when they maintained a heroic loyalty to the United States;

Whereas it is reported that the program of the Philippine War Damage Commission for the restoration of damaged public property, pursuant to section 304, of the Philippine Rehabilitation Act of 1946, may not be completed by June 30, 1950, the terminal date of said program, thereby resulting in the reversion of the appropriated funds therefor to the United States Treasury to the prejudice of the Philippines: Now, therefore, be it

Resolved by the House of Representatives of the Philippines, the Senate concurring:

(1) To express, as they do hereby express, the support of the Congress of the Philippines for the bill pending in the Congress of the United States to appropriate an additional sum of \$100,000,000 for war damage payments in the Philippines in accord-

ance with the Philippine Rehabilitation Act of 1946; and

(2) To request, as they do hereby request, the President of the Philippines to make the necessary representation to the Government of the United States of America to extend until June 30, 1951, the period for the allocation of the appropriation and the completion of the program for the restoration and improvement of public property under section 304 of the Philippine Rehabilitation Act of 1946.

STATEMENTS TO ACCOMPANY REPORTS OF COMMITTEES OF CONFERENCE—REPORT OF A COMMITTEE

Mr. GREEN, from the Committee on Rules and Administration, submitted a report (No. 2575) on the concurrent resolutions (S. Con. Res. 79) directing that there shall accompany every report of a committee of conference a statement explaining the effect of the action agreed on by the committee, which was reported by that committee on the 15th instant, and agreed to.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on Saturday, September 16, 1950, he presented to the President of the United States the following enrolled bills:

S. 1640. An act to amend section 4 of the act of March 1, 1911 (36 Stat. L. 962; 16 U. S. C. 513), relating to membership of the National Forest Reservation Commission;

S. 2636. An act to amend the Soil Conservation and Domestic Allotment Act, as amended;

S. 3517. An act to authorize the construction, operation, and maintenance of the Vermejo reclamation project, New Mexico; and

S. 4118. An act to increase the appropriation authorization for the Air Engineering Development Center.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McKELLAR:

S. 4161. A bill for the relief of the widows or other close kin of the members of the Tennessee Air National Guard who were killed in an aircraft accident near Conway, S. C., on June 23, 1950; to the Committee on the Judiciary.

By Mr. McFARLAND (for Mr. McMahon):

S. 4162. A bill to authorize a Federal civil defense program, and for other purposes; ordered to lie on the table.

(Mr. KEFAUVER introduced Senate bill 4163, to protect the internal security of the United States against certain un-American and subversive activities and to provide for the emergency detention of persons who may commit acts of espionage and sabotage, and for other purposes, which was referred to the Committee on the Judiciary, and appears under separate heading.)

By Mr. JOHNSON of Colorado:

S. 4164. A bill to authorize the training of an adequate backlog of airmen to meet the civil and military needs of the United States, and for other purposes; to the Committee on Interstate and Foreign Commerce.

INTERNAL SECURITY OF THE UNITED STATES

Mr. KEFAUVER. Mr. President, I introduce for appropriate reference a bill to protect the internal security of the United States.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 4163) to protect the internal security of the United States against certain un-American and subversive activities and to provide for the emergency detention of persons who may commit acts of espionage and sabotage, and for other purposes, introduced by Mr. KEFAUVER, was read twice by its title, and referred to the Committee on the Judiciary.

Mr. KEFAUVER. Mr. President, the bill which I have just introduced is a refined version of the type of legislation I think the Congress should pass immediately for the internal security of the United States and to deal with dangerous Communists, subversives, and fifth columnists. I feel that it is our obligation to see that a proper law to deal with subversives is placed on the statute books before this session of Congress adjourns.

I do not think the bill passed by the Senate last Tuesday evening, which is now in conference, is such a bill. It includes many good provisions and it also includes some provisions which would not work and which many of us fear endanger the liberties and rights of innocent people. Furthermore, there is a strong possibility that it may be vetoed by the President. The bill which I have filed today contains some new ideas and provisions, which I think should be given serious consideration by the conferees. I had intended to file this bill on Thursday of last week, before the conferees met, but I had to be away from Washington because of illness in my family. Also, I think the provisions in this bill may be of some use to the Members of the Senate and of the House of Representatives when we come to considering the conference report.

Furthermore, in the event the McCarran bill is vetoed by the President, and should the veto be sustained, Congress will have this bill before it for immediate consideration in order to enable the Congress to expedite the passage of legislation before final adjournment.

I cannot speak for the President on the matter but I think this bill would meet his approval.

The basis of the bill is the original Kilgore bill, which I cosponsored and for which I voted. It provides for the immediate incarceration of dangerous subversives, Communists, and fifth columnists in the event of invasion of the territory of the United States, declaration of war, insurrection within the United States, when the Congress and the President shall find to exist an internal security emergency. The internal security emergency provision was stricken out of the Kilgore bill when it was adopted in revised form as a part of the McCarran bill. The bill I have filed meets to some extent, at least, the constitutional objection to internment in the event of an internal security emergency by declaring in section 2 (b):

Whenever it is determined by the United Nations organization or by the Security Council of the United Nations organization that a nation or nations are guilty of unprovoked aggression in violation of the Charter of the said United Nations organization, and the Armed Forces of the United States are engaged in hostilities in behalf of the United Nations organization, in that event

such unprovoked aggression shall be considered, for the purposes of this act, as levying war against the United States or adhering to their enemies, giving them aid and comfort.

This brings the provision in line with article 3, section 3, of the Constitution and with other constitutional provisions bearing on the subject.

The bill contains a revision of section 4 of the McCarran bill. This, you will remember, was the section which made illegal any act contributing to the establishment of a totalitarian dictatorship and also the giving or receiving of any information which may have been classified. The section is rewritten as section 15 with these changes:

Subsection (a) requires that the conspiracy or act contemplate force or violence. It provides that the act must contribute to the establishment of a totalitarian dictatorship in lieu of the present Government of the United States, that is, it does not apply to acts or agreements with reference to purely local matters such as cities or municipalities. I do not think the Federal Government should undertake to police political action in purely local or municipal government.

Subsection (b) relative to giving information which may have been marked as classified is made applicable to any citizens of the United States rather than Federal employees only. It contains the protection that it must have been given knowingly and with intent to harm the United States.

Subsection (c) has the same protection against persons seeking information. The important additional subsection is (d) (6), which is as follows:

Provided, however, That subsection (b) and (c) shall not apply to information sought, given or received as a result of consultation by and between, authorized representatives of the United States and authorized representatives of nations which are signatories of the Atlantic Pact, diplomatic representatives or military representatives of nations engaged in a common undertaking with the United States.

The new bill provides in section 16 that whenever the United States Armed Forces are engaged in hostilities in behalf of the United Nations all the laws relating to sabotage, espionage, and sedition shall be in full force and effect in the same manner and to the same extent as if war had been declared. This amendment was proposed in the House of Representatives by Representative JACKSON of Washington. Some of the statutes relative to espionage and sabotage are now in effect. But the Honorable William Foley, Chief of Internal Security Section of the Department of Justice, advised me that the statutes which invoke heavy penalties for sedition, espionage, and sabotage are all predicated upon the words, "when in time of war."

It is true that we are technically in war with Germany, Austria, and Japan, but it is doubtful if this technical war would make these statutes applicable by virtue of the Korean conflict because the governments which I have named are nonexistent today.

The bill contains the provisions of the Magnuson bill, S. 4061, strengthening certain criminal sections of the code having to do with the internal security

of the United States and providing longer penalties and longer statutes of limitation.

The bill which I have filed, under section 23, requires the Attorney General, after advising with the Director of the FBI, to report to Congress all action taken under the bill at least once every 6 months. It further requires the Attorney General, after advising with the Director of the FBI, to report within 6 months whether or not in his judgment an act to require the registration of Communists and Communist-front organizations would further protect the internal security of the United States.

The advantages of this bill are that it will enable the FBI to immediately take out of circulation people who are dangerous to our effort in behalf of the United Nations and who are dangerous to our internal security. The bill does not get into matters such as some of those contained in the McCarran bill, which we fear might infringe upon the freedom of the press, thought, and political affiliation. It does not contain provisions which might be used to enforce conformity of thinking and of political action. The bill does not include provisions for registration and they are not included for the reason that every statement by J. Edgar Hoover, Director of the FBI, on the subject says that this is not the way to deal with the problem and that such provision will hinder rather than help the work of the FBI. Personally, if satisfactory guaranties against prosecuting innocent citizens are included, I am willing to register Communists and Communist fronts now, but I think that Mr. Hoover knows more about this matter than any of us. The FBI did a great job in World War II. The FBI is the agency to which we must look for protection against dangerous Communists, saboteurs, and fifth columnists in the present emergency, and I think we must consider very, very seriously Mr. Hoover's recommendation.

It is easy to understand why Mr. Hoover and the FBI think the registration provision would hinder their work. The FBI now has about 13,000 personnel, about one-half of whom are agents. They know who the dangerous Communists and saboteurs are. It is well known that while there is a fifth column in this country, the FBI has a sixth column and that the activities of people in every Communist cell are well known by the FBI. The FBI has agents in these groups who keep track of their activities. Mr. Hoover stated that these groups would go underground if they had to register. This would mean, of course, that the FBI would lose its contacts or that the agents themselves would have to register. This is an unthinkable burden to put on a good American citizen who is serving his country through the FBI.

As before stated, the bill calls on the attorney general and Mr. Hoover to report their further recommendations. If they later think a registration provision would work, I will give it full support. But it seems to me that merely registering law violators will not prevent violation of the law. By the same token, the registering, or attempted registering, of Communists is not going to prevent their engaging in acts which would harm the

United States. What we need to do is to take them into custody in time of emergency.

I hope this bill may be helpful in the consideration of our problem now, as well as in future consideration of this most important problem.

ADVANTAGES OF OUR CONSTITUTION— ADDRESS BY SENATOR O'CONOR

[Mr. O'CONOR asked and obtained leave to have printed in the RECORD an address on the subject of the benefits and advantages of the Constitution of the United States, delivered by him at the Joint Constitution Day banquet sponsored by the Delaware State Societies of the Sons of the American Revolution and the Daughters of the American Revolution at Wilmington, Del., on September 16, 1950, which appears in the Appendix.]

MRS. PERLE MESTA—STATEMENT BY SENATOR O'CONOR

[Mr. O'CONOR asked and obtained leave to have printed in the RECORD a statement prepared by him regarding the friendly type of good-will diplomacy practiced by Mrs. Perle Mesta, Minister to Luxemburg, which appears in the Appendix.]

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS—STATEMENT BY SENATOR GILLETTE

[Mr. GILLETTE asked and obtained leave to have printed in the RECORD a statement prepared by him on the development of the Food and Agriculture Organization of the United Nations, which appears in the Appendix.]

LETTER FROM SENATOR WILEY TO PURE FOOD AND DRUG ADMINISTRATION REGARDING ENFORCEMENT OF OLEO- MARGARINE LAW

[Mr. WILEY asked and obtained leave to have printed in the RECORD a letter dated September 15, 1950, written by him to the Pure Food & Drug Administration, Federal Security Agency, which appears in the Appendix.]

THE FIGHT AGAINST COMMUNISM— LETTER FROM MRS. INEZ M. JOHNSON

[Mr. McCLELLAN asked and obtained leave to have printed in the RECORD a letter dated July 18, 1950, addressed to him by Mrs. Inez M. Johnson, of Little Rock, Ark., which appears in the Appendix.]

MOVEMENT OF TROOPS BY THE RAIL- ROADS—COMMENTS OF A FORMER SERVICEMAN

[Mr. KILGORE asked and obtained leave to have printed in the RECORD a letter received by him from Edwin W. Estep, a former serviceman, in regard to the movement of troops by the railroads, which appears in the Appendix.]

RUSTLING OF IRON CURTAIN PORTENDS NEW AGGRESSION

[Mr. ROBERTSON asked and obtained leave to have printed in the RECORD an article entitled "Rustling of Iron Curtain Portends New Aggression," written by Constantine Brown and published in the Washington Star of Sunday, September 17, 1950, which appears in the Appendix.]

GENERAL MARSHALL COMES BACK— EDITORIAL FROM DULUTH (MINN.) NEWS-TRIBUNE

[Mr. THYE asked and obtained leave to have printed in the RECORD an editorial entitled "General Marshall Comes Back," published in the Duluth (Minn.) News-Tribune of September 13, 1950, which appears in the Appendix.]

CAVENDISH W. CANNON, UNITED STATES MINISTER TO SYRIA

[Mr. WATKINS asked and obtained leave to have printed in the RECORD an editorial entitled "One of Utah's Famous Sons Is an Able Diplomat," published in the Salt Lake Tribune of September 14, 1950, and an editorial entitled "Cavendish W. Cannon Goes to Syria," published in the Salt Lake Deseret News of September 14, 1950, which appear in the Appendix.]

APPOINTMENT OF EDGAR B. BROSSARD AS MEMBER OF THE UNITED STATES TARIFF COMMISSION

[Mr. WATKINS asked and obtained leave to have printed in the RECORD an editorial entitled "Brossard Nomination," published in the Washington Post of September 15, 1950, which appears in the Appendix.]

THE UNITED STATES AND CHINA IN A WORLD THREE WAYS DIVIDED—ADDRESS BY STANLEY K. HORNBECK

[Mr. WHERRY (for Mr. KNOWLAND) asked and obtained leave to have printed in the RECORD an address entitled "The United States and China in a World Three Ways Divided," prepared by Stanley K. Hornbeck, which appears in the Appendix.]

MARSHALL AND CHINA—EDITORIAL FROM CHRISTIAN SCIENCE MONITOR

[Mr. ROBERTSON asked and obtained leave to have printed in the RECORD an editorial entitled "Marshall and China," published in the Christian Science Monitor of September 16, 1950, which appears in the Appendix.]

NUMEROUS MISCONCEPTIONS ON TAXING EXCESS PROFITS—ARTICLE BY LAWRENCE L. MCKENNA

[Mr. HOLLAND asked and obtained leave to have printed in the RECORD an article entitled, "Numerous Misconceptions on Taxing Excess Profits," written by Lawrence L. McKenna, and published in the Washington Star of Sunday, September 17, 1950, which appears in the Appendix.]

THE PERFECT LEADER—EDITORIAL FROM MEMPHIS PRESS-SCIMITAR—LETTER BY SENATOR KEFAUVER

[Mr. KEFAUVER asked and obtained leave to have printed in the RECORD an editorial entitled, "We Need the Perfect Leader," published in the Memphis Press-Scimitar of September 4, 1950, together with a letter written by him to President Truman, which appear in the Appendix.]

FRANK PACE, JR., SECRETARY OF THE ARMY—ARTICLE FROM NEW YORK TIMES MAGAZINE

[Mr. JOHNSON of Texas asked and obtained leave to have printed in the RECORD an article entitled, "And Now It's Pace of the United States Army," written by Magruder Doble and published in the New York Times magazine of September 17, 1950, which appears in the Appendix.]

REGISTRATION OF COMMUNIST ORGANIZATIONS AND MEMBERS—EDITORIAL COMMENT

[Mr. KEFAUVER asked and obtained leave to have printed in the RECORD an editorial entitled, "Our Inner Defenses," published in the Chattanooga Times of August 21, 1950; an editorial entitled "Blunderbuss and Rifle!" published in the Nashville Tennessean of September 14, 1950; an editorial entitled "The Antisubversive Bill," published in the Chattanooga Times of September 14, 1950; an editorial entitled "Hodge-Podge," published in the Washington Post of September 14, 1950; an editorial entitled, "Is Communism a Yardstick?" published in the Wilmington (Del.) Journal; and an edi-

torial entitled "The Senate on Subversion," published in the New York Times of September 14, 1950, which appear in the Appendix.]

TRIBUTE TO STATION WSM, NASHVILLE, TENN.

Mr. KEFAUVER. Mr. President, I ask unanimous consent to have inserted in the body of the RECORD a tribute to Station WSM, Nashville.

There being no objection, the tribute was ordered to be printed in the RECORD, as follows:

This year a fine public servant of the mid-South and the entire Nation is observing its silver anniversary—a quarter century of public-conscious service through radio. I refer to our great clear-channel station in Nashville, WSM which can point with pride to many achievements over the years.

WSM means much to the daily lives of millions of folks in Tennessee and other States as well. Over the years I have watched with interest the progress of this Tennessee institution and its sincere dedication to doing what it considers best for its listeners. WSM has meant much to millions of residents in the central South with its faithful day-to-day service. Since WSM went on the air in 1925, we have seen an ever-growing institution make great contributions to the development of the art of radio.

Now the new medium of television is occupying the experienced leadership of WSM's staff as it plans to bring that area its first video service. On September 20, WSM will launch a television station that will link Nashville with other major markets and bring to our area the finest of network television programs far in advance of what would be the date except for WSM willingness to make a tremendous investment for the public good. By a surface microwave relay from Louisville, Ky., to Nashville, our residents in that area are to get direct network television service. We of Tennessee appreciate what WSM has done over the years for us and what it is doing now. The television development at WSM places a tremendous financial burden upon the station, and it has upon WMC-TV, Memphis, but it serves to typify the operation of this organization and its efforts to keep the Nashville region in the front line with other major radio centers, such as New York, Chicago, and Los Angeles.

And so I salute WSM on its first quarter century, knowing that the next 25 years will add new luster to this clear channel friend of millions in the vast central South.

GRANT OF CITIZENSHIP TO KOREANS AND OTHERS—VETO MESSAGE

Mr. McCARRAN. Mr. President, I give notice that tomorrow at some convenient hour I shall move for the passage of House Joint Resolution 238 to amend the Nationality Act of 1940, as amended, to grant citizenship to Koreans, and so forth, the objections of the President to the contrary notwithstanding.

TRANSPORTATION OF GAMBLING DEVICES IN INTERSTATE AND FOREIGN COMMERCE

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business, which is the motion of the Senator from Colorado [Mr. JOHNSON] that the Senate concur in the amendments of the House of Representatives to the bill (S. 3357) to prohibit transportation of gambling devices in interstate and foreign commerce.

Mr. JOHNSON of Colorado. Mr. President, I withdraw the motion I previously made to concur in the House amendments to Senate bill 3357.

I now move that the Senate disagree to the House amendments, request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield. Mr. WHERRY. This is a privileged matter, so it is not subject to objection. However, I wish to speak on the motion.

The VICE PRESIDENT. The Senator from Nebraska is recognized.

Mr. WHERRY. I merely wish to ascertain, if I can, before the vote is taken on the motion, if the parliamentary status has been withdrawn. It is my understanding that the distinguished Senator from Colorado has withdrawn the motion previously made to concur, and now has moved that the Senate disagree to House amendments, and request a conference with the House of Representatives on the disagreeing votes of the two Houses, so that the matter will go to conference, where the differences between the House and Senate in connection with this measure will be ironed out. Is that correct?

Mr. JOHNSON of Colorado. That is correct.

Mr. WHERRY. I have no objection. The VICE PRESIDENT. Without objection, the motion is agreed to; and the Chair appoints the Senator from Colorado [Mr. JOHNSON], the Senator from Arizona [Mr. McFARLAND], and the Senator from Delaware [Mr. WILLIAMS] conferees on the part of the Senate.

INCLUSION OF COAST GUARD WITHIN PROVISIONS OF SELECTIVE SERVICE ACT OF 1948

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 4136) an act to include the Coast Guard within the provisions of the Selective Service Act of 1948 and to authorize the President to extend enlistments in the Coast Guard, which was, on page 3, after line 18, insert:

SEC. 3. (a) Subsection (c) of section 4 of the Selective Service Act of 1948, as amended, is amended by adding a new paragraph (4) at the end thereof to read as follows:

"(4) Within the limits of the quota determined under section 5 (b) for the subdivision in which he resides, any person, between the ages of 18 and 26, shall be afforded an opportunity to volunteer for induction into the armed forces of the United States for the training and service prescribed in subsection (b), but no person who so volunteers shall be inducted for such training and service so long as he is deferred after classification."

(b) The sixth sentence of section 10 (b) (3) of the Selective Service Act of 1948, as amended, is hereby amended to read as follows: "Such local boards, or separate panels thereof each consisting of three or more members, shall, under rules and regulations prescribed by the President, have the power within the respective jurisdictions of such local boards to hear and determine, subject to the right of appeal to the appeal boards herein authorized, all questions or claims with respect to inclusion for, or exemption or deferment from, training and service under this title, of all individuals within the jurisdiction of such local boards."

Mr. SALTONSTALL. Mr. President, I move that the Senate concur in the

amendment of the House of Representatives to the bill.

Mr. RUSSELL. Mr. President, will the Senator make a brief statement in explanation of the House amendment? Mr. SALTONSTALL. I shall be glad to do so.

In effect, there are two amendments which the House of Representatives has adopted to this bill. The first amendment permits a man who is a volunteer to obtain training until his number is called under the Selective Service Act. In the meantime, he will be a volunteer for training. When his number is called under the Selective Service Act, he will be subject to the provisions of the draft, as in the case of any other man. That is an explanation of the first amendment.

The other amendment allows a local draft board to divide itself into panels for the purpose of hearing cases. When the panels make their decisions, those who are affected by the decisions will have the same right of appeal from those decisions of the panel boards to the various appeals bodies in connection with classification matters as would be the case if the full boards had sat on those matters. That provision is proposed for the purpose of acceleration.

Mr. President, I move that the Senate concur in the amendment of the House of Representatives.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Massachusetts.

The motion was agreed to.

NOMINATION OF WILLIAM O'DWYER— ANNOUNCEMENT

Mr. MCFARLAND obtained the floor. Mr. O'MAHOONEY. Mr. President, will the Senator yield to me?

Mr. MCFARLAND. Yes; but before I yield, I wish to announce that after disposition is made of the resolution to which the Senator from Wyoming wishes to address himself, I intend to move that the Senate proceed to the consideration of executive business, for the purpose of having the Senate consider the O'Dwyer nomination.

I now yield to the Senator from Wyoming.

INVESTIGATION OF FUEL RESERVES

Mr. O'MAHOONEY. Mr. President, on July 31, the Committee on Interior and Insular Affairs reported Senate Resolution 239, authorizing that committee or any duly authorized subcommittee thereof to make a study of the fuel problem and the consumption of fuel. Approximately five bills or resolutions dealing with that problem have been introduced or submitted. Most of them call for the appointment of executive or executive-legislative commissions.

The Committee on Interior and Insular Affairs decided that it would be better to have the committee itself make the study, rather than to set up a new commission.

So the resolution was reported. As submitted by the Senator from Pennsylvania, it called for an appropriation to be made out of the contingent fund of the Senate, in the amount of \$100,000. The committee reduced that to \$20,000.

The resolution as so reported by the Committee on Interior and Insular Affairs was approved by the Committee on Rules and Administration, and was adopted on the floor of the Senate on, I think, August 15.

On the following day, August 16, the Senator from Oklahoma [Mr. THOMAS] entered a motion to reconsider the vote by which the resolution had been agreed to.

Since that time I have consulted him. It is my understanding that he desires now only to make a statement with respect to the resolution.

I should point out that the study is wholly within the jurisdiction of the committee, so the effect of the resolution is merely to provide a contingent fund of \$20,000 for that purpose.

I may say that the study relates not only to oil and coal but also to hydroelectric power; and there is great need for a congressional study of this problem.

I hope the motion of the Senator from Oklahoma to reconsider the vote by which the Senate agreed to the resolution will be disagreed to, if it is not withdrawn.

Mr. THOMAS of Oklahoma. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. THOMAS of Oklahoma. What is the unfinished business, if any?

The VICE PRESIDENT. The previous unfinished business has just been disposed of. There is no unfinished business at the moment.

Mr. O'MAHOONEY. Mr. President, the motion for reconsideration of Senate Resolution 239 is the unfinished business. I have just called up the motion.

The VICE PRESIDENT. The Senator from Wyoming is correct.

Mr. THOMAS of Oklahoma. That is what I wished to ascertain.

The VICE PRESIDENT. Let the motion be stated.

The CHIEF CLERK. A motion by Mr. THOMAS of Oklahoma to reconsider the vote by which Senate Resolution 239 was agreed to.

The VICE PRESIDENT. As many as favor the motion to reconsider—

Mr. THOMAS of Oklahoma. Mr. President, I have not called up the motion, I wish to say to the Vice President and to the Senate.

The VICE PRESIDENT. Any Senator has a right to call up the motion.

Mr. THOMAS of Oklahoma. Has a motion been made to call up the motion to reconsider?

The VICE PRESIDENT. The Senator from Wyoming made a motion to call it up.

Mr. WHERRY. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. THOMAS of Oklahoma. I yield.

Mr. WHERRY. I do not quite understand the situation. I understood that the distinguished Senator from Oklahoma filed a motion to reconsider the vote by which Senate Resolution 239 was agreed to.

Mr. THOMAS of Oklahoma. I entered a motion to reconsider, but I have not called it up.

The VICE PRESIDENT. Under the rule, any Senator may move to have the

Senate proceed to consider a motion to reconsider; the right to make such a motion is not limited to the mover of the motion to reconsider.

Mr. WHERRY. Except he has to be on the affirmative side; does he not?

The VICE PRESIDENT. However, there was no yea-and-nay vote on that proposition.

Mr. WHERRY. I beg your pardon; that is what I wished to ascertain.

The VICE PRESIDENT. In this case there was no yea-and-nay vote.

Mr. THOMAS of Oklahoma. Mr. President, had there been any unfinished business, a motion to take up the motion to reconsider would, of necessity, have replaced the unfinished business, if the motion had been agreed to. Is not that correct?

The VICE PRESIDENT. That is correct.

Mr. THOMAS of Oklahoma. There having been no unfinished business, the motion was in order, of course.

The VICE PRESIDENT. Yes; and it would have been in order, in any event, and would have displaced any unfinished business, if the motion had been carried.

Mr. THOMAS of Oklahoma. Mr. President, on a former occasion, Senate Resolution 239 was reported to the Senate; and immediately thereafter, unanimous consent was requested for its immediate consideration. Consent was granted, and the resolution was then considered and agreed to.

I was not on the committee which considered the resolution. Of course, I was not familiar either with the contents of the resolution or with the arguments for or against it.

Within the required time, my attention was called to the effect of the resolution, whereupon I requested those who called my attention to the resolution to submit to me a memorandum as to why they asked me to enter a motion to reconsider the vote by which it had been agreed to. They consented to my request, and prepared and delivered to me forthwith a memorandum setting forth the reasons why they felt the vote on the resolution should be reconsidered and the resolution should not be adopted. On the basis of that memorandum, I entered the motion to reconsider.

At this time, Mr. President, I present to the Senate the memorandum on which I acted, and I ask that the memorandum be made a part of my remarks in the Record, at this point.

There being no objection, the memorandum was ordered to be printed in the Record, as follows:

On Thursday, July 13, 1950, the Interior and Insular Affairs Committee opened hearings on Senate Resolution 239.

The objectives of the Secretary of the Interior and the sponsors of the pending measure seemed to be much the same; namely, the establishment of a national fuels policy. Although the witnesses, including the Secretary, more or less stoutly defended the private competitive enterprise system and insisted they did not want to hamper or hinder the functioning of such system, yet the net effect of their proposals would be to control the end use of fuels and perhaps to allocate certain parts of the market to particular fuels.

With respect to the necessity of conducting concurrent investigations with respect to

all energy resources, the Secretary said: "We have here four competing fields: oil, natural gas, coal, and hydroelectric power. * * * It is my feeling that a single fuel such as coal, or oil, or natural gas, cannot be studied independently. Individual elements of our energy economy do not function independently any more than the steel industry operates in a manner unaffected by the economic factors which influence our metallic products such as copper or aluminum. We must view the economic environment in which our energy sources are developed and used. This point becomes readily apparent when one considers the wide range of uses in which primary energy sources can be substituted one for the other. * * * The competition among the several energy sources varies widely with geographic areas and types of consumers. * * * The lesson of the past is that because of substitution among fuels the problems of any energy industry cannot be studied in isolation."

The Secretary discussed at length the displacement of coal by oil and gas, using as an example the trend in the railroad industry from coal to Diesel locomotives. The increase of natural-gas pipeline capacity into the highly industrialized centers of the Nation and consequent replacement of coal was particularly noted by the Secretary. The Secretary significantly stated: "An inquiry of the sort that I have been discussing is essential if we are to have available the objective facts which will be indispensable in helping to shape the future programs and policies of the Government, industry, and labor in this field. I do not think that it is sound for us to consider, without having available the results of exhaustive investigation, measures which will arbitrarily reverse many of the trends which I have been discussing."

In response to an observation by Senator ANDERSON that "the reserves of coal, generally speaking, are far greater than the known reserves of some of these other fuels," the Secretary said: "The reserve of coal is greater than the known reserves of any other fuel or all others combined—the thing that I am concerned about at the moment is that I want to get the very best use of all of these competing fuels and energy that we are using right now. * * * We are using them at a rather high rate at the moment. We are using oil at a higher rate than we did at the peak of the war. Our oil consumption today is greater than it was then."

Senator O'MAHONEY asked whether or not "as Secretary of the Interior you contemplate, as a part of a national fuel policy, that there should be any attempt to assign, let us say, part of the total energy, the total market for energy, to a particular kind of fuel." The Secretary's answer was: "At the present moment, Senator, I neither have the law nor the inclination to do such a thing." Senator O'MAHONEY continued: "Of course you have no law to do it; but would that be embraced in your objective study?" The Secretary's answer was: "That is right; that would be embraced in the policy study. At the moment you have to let competitive forces take their course. That is why I think you so badly need a law; you need a study upon which you might want to pass a law."

Later the Secretary said: "This is a problem that affects the whole Nation. You cannot talk about the public-land States alone, or the Southwest, or the Northwest alone, because any program that we set up affecting one section of this country is going to affect the whole economy of the country."

Mr. THOMAS of Oklahoma. Mr. President, realizing that among the Senators now present, there are sufficient Senators to prevent, by their votes, reconsideration of the vote by which the resolution was agreed to, I rest my case

on the memorandum to which I have referred, and shall permit the Senate to pass upon the matter as it sees proper.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Oklahoma to reconsider the vote by which Senate Resolution 239 was agreed to.

The motion to reconsider was rejected.

EXECUTIVE SESSION

Mr. McFARLAND. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

The VICE PRESIDENT. If there be no reports of committees, the clerk will state the nominations on the calendar.

ADVISORY BOARD FOR THE POST OFFICE DEPARTMENT

The Chief Clerk read the nomination of Morris L. Ernst, of New York, to be a member of the Advisory Board for the Post Office Department.

Mr. McFARLAND. Mr. President, the Senator from North Dakota stated that he would probably withdraw his objection to this nomination. I ask that it go over for one more day, and, if the objection is not withdrawn, we may then proceed to consider the nomination.

The VICE PRESIDENT. The nomination will be passed over.

ASSOCIATE JUDGE, D. C. MUNICIPAL COURT

The Chief Clerk read the nomination of Emory Byington Smith, of the District of Columbia, to be an associate judge of the municipal court for the District of Columbia.

Mr. McFARLAND. I ask that this nomination go over.

The VICE PRESIDENT. The nomination will be passed over.

CALIFORNIA DEBRIS COMMISSION

The Chief Clerk read the nomination of Col. John S. Seybold, Corps of Engineers, to be president and member of the California Debris Commission.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

UNITED NATIONS

The Chief Clerk read the nomination of Benjamin V. Cohen, of New York, to be alternate representative of the United States of America to the fifth session of the General Assembly of the United Nations.

The VICE PRESIDENT. That nomination was confirmed in executive session earlier today.

DIPLOMATIC AND FOREIGN SERVICE

The Chief Clerk read the nomination of William O'Dwyer to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Mexico.

Mr. WHERRY. Mr. President, I ask that the nomination be passed over. That is a mechanical way of approaching this question; after which, of course, the distinguished acting majority leader may move to take up the nomination.

Mr. McFARLAND. Mr. President, although I do not think it necessary, I move that the Senate proceed to the consideration of this nomination.

Mr. WHERRY. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. WHERRY. Is it necessary that there be a motion to proceed to the consideration of the nomination? If I understand correctly, that is unnecessary—the nomination would come up automatically, and the only way by which consideration can be prevented is by asking that it be temporarily passed over.

The VICE PRESIDENT. Since the nomination was passed over, it would come before the Senate again automatically, and a motion would not be necessary.

Mr. WHERRY. I ask unanimous consent that the nomination be passed over.

Mr. McFARLAND. I object, and I move that the Senate proceed to the consideration of the nomination.

The VICE PRESIDENT. The Senator from Arizona objects, and moves that the Senate proceed to the consideration of the nomination.

Mr. WHERRY. That motion is debatable, is it not?

The VICE PRESIDENT. It is.

Mr. IVES. Mr. President, last Friday night, when this nomination first came before the Senate for consideration, I stated that I shared the reluctance of those who might hesitate to vote in favor of the confirmation of Mr. O'Dwyer's nomination. At the same time, I stated that, because of the action of the Senate Committee on Foreign Relations, in approving the nomination and recommending confirmation, and because I must place great confidence in the committee, I was not opposing confirmation.

Had the question come to a decision that evening, I should not have opposed it. However, objection was made, a delay occurred, and the question is before the Senate again. Since that time, events have transpired which have occasioned my questioning very greatly the wisdom of confirming Mr. O'Dwyer's nomination at the present time.

I think some of the Members of the Senate know that an investigation has been going on in the Borough of Brooklyn, the county of Kings, in New York State, in connection with gambling activity. I desire to read a very brief portion of an article which appeared in last Saturday's New York Herald Tribune, which indicates my reason for feeling that there should be delay. The article is written by Mr. Walter Arm, under his byline, and I read from it the following:

Harry Gross, Brooklyn's biggest bookmaker, who is suspected of having been set up in business by a group of top police officials was arrested yesterday in his suite at the Hotel Towers in Brooklyn by investigators of Miles F. McDonald, Kings County district attorney.

The arrest, first of a series of borough-wide raids and bookie round-ups, is the most important made by the Brooklyn prosecutor since his investigation of gambling began last December.

If all the ramifications of Gross' gambling career are exposed, it will result, it was learned, in one of the biggest scandals in the history of the New York Police Department.

This is the investigation which former Mayor William O'Dwyer, who resigned unexpectedly recently to accept an appointment as Ambassador to Mexico, characterized as a witch-hunt.

That excerpt appears in the article by Mr. Walter Arm, which was in the issue of the New York Herald Tribune of last Saturday, September 16.

Mr. President, I know nothing about the provocation, or lack of it, for any of the charges which have been made. I know nothing about the details of this investigation. I do know, however, that in all probability the information which is now available was not available to the Senate Committee on Foreign Relations when the confirmation was under consideration by that committee.

It seems to me, in view of the circumstances, that it is most unwise at this time to proceed with the confirmation. I say this, not in criticism of former Mayor O'Dwyer, for whom I have a very high personal regard. But I think perhaps for his own best interests, and certainly for the best interests of the country, it is decidedly essential that confirmation be delayed, and, therefore, if it is brought up at this time, if the motion to take it up is to prevail, I shall move to recommit it for further consideration by the committee.

Mr. LEHMAN. Mr. President, I hope the Senate will promptly confirm the nomination by the President of the Honorable William O'Dwyer as Ambassador to Mexico.

Mayor O'Dwyer is a man of great talents and understanding as his career clearly discloses.

Few Americans in public life know Mexico as well as Mayor O'Dwyer. He has long had a passionate interest in this neighbor to the south of us and has spent much time in that country. He has an impressive background of knowledge and information concerning Latin-American affairs and Hispanic culture. As the members of the Senate Foreign Relations Committee learned, he speaks Spanish most fluently. He was educated in Spain and understands the Latin culture—an understanding which will do much to endear him to the Mexican people who are rightly proud of their culture and of their language.

Mayor O'Dwyer has climbed steadily upward in his career. He is what Americans proudly call a self-made man. This is exactly the type of man who appeals the most to the democracy-loving people of Mexico. He is a man of force and vigor who can energetically project to the people of Mexico our own ideals and beliefs and our interest in their welfare.

I believe that he will make a fine ambassador to Mexico.

New York, despite the difference in latitude from Mexico, has strong ties with this neighbor of ours. There are many persons of Latin descent and Latin

background in our population in New York State. It is, therefore, fitting and proper that a man who has taken such a great part in the life of New York, as has Mayor O'Dwyer, should be selected to strengthen the ties between our two countries.

Mr. CHAVEZ. Mr. President, I should like to make a brief statement in behalf of Mayor O'Dwyer. Everything which has been said about the mayor, until now, is correct. I agree with every statement made by the Senator from New York [Mr. LEHMAN]. But I want to go further even than those statements.

Mayor O'Dwyer is the beneficiary of American opportunity. He came to this country as an immigrant, to take advantage of the benefits of the American way of life, as one may take advantage of them if he behaves himself properly, and of the things that we love so much. Mayor O'Dwyer knows Americanism as it should be known. Some of us who have been here for a long time are, because things come so easily, because nature has been so kind to us, and because the Government has been so kind, are apt to forget some of the hardships which exist throughout the world. I believe that Mayor O'Dwyer will make as fine an ambassador to Mexico as that other great American who was there, once upon a time, Mr. Josephus Daniels.

In my opinion, Josephus Daniels, who went to Mexico under a terrific handicap, he having been Secretary of the Navy at the time Vera Cruz was invaded, became the best loved American there was in Mexico, through selling ideas, ideologies, decency, and real Americanism to the Mexicans.

In my opinion, the background of Mayor O'Dwyer, plus the fact that he has so many things in common with the people of Mexico, should make him a great Ambassador. I congratulate the Committee on Foreign Relations and its distinguished chairman for having recommended the confirmation of Mayor O'Dwyer's nomination. I think he will make a great Ambassador.

Mr. McFARLAND. Mr. President, in order to straighten out the parliamentary situation, I moved that the Senate proceed to consider this nomination; which was unnecessary. I thought that that would bring about the test vote. There is, of course, no reason why we should have three votes on this question. The Senator from New York has stated now that he would move to recommit, in the event my motion were agreed to, and I am therefore going to withdraw my motion and let the nomination come up in regular order. I withdraw my motion.

The PRESIDING OFFICER. (Mr. STENNIS in the chair). The Chair is advised that the matter of the nomination of William O'Dwyer to be Ambassador to Mexico is now the regular order. We have reached that nomination on the calendar. No motion is necessary for its consideration.

Mr. VEHERRY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. WHERRY. Has the distinguished Senator from New York made the mo-

tion to recommit, or has he merely announced his intention of doing so?

Mr. IVES. I intend to do so.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. IVES. Mr. President, I now move to recommit the nomination to the Committee on Foreign Relations for further consideration.

The PRESIDING OFFICER. The question is on the motion of the Senator from New York that the nomination of William O'Dwyer, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Mexico be recommitted to the Committee on Foreign Relations.

Mr. CONNALLY. Mr. President, I very much hope the Senate will not recommit the nomination to the Committee on Foreign Relations for further consideration. We gave everyone an opportunity to be heard. No one was refused a hearing. Only one witness appeared, and we heard him at length. His only complaint was about an indictment which had been returned when Mr. O'Dwyer was district attorney in Brooklyn. The former mayor was not in direct charge of the case. However, this witness went on the stand and in great detail and at great length explained the case to the entire satisfaction of all the members of the committee, with one possible exception. Every member of the committee, with one exception, the Senator from Iowa [Mr. HICKENLOOPER], voted to report the nomination. The Senator from Iowa did not vote "yea" and he did not vote "nay." He voted "present." With practically a unanimous vote by members of both parties, it seems that it would be very foolish to send the nomination back to the committee. The committee has heard everyone who wanted to be heard. All those who wrote the committee received a letter or telegram from the committee telling them when the meeting would be held. Only one man showed up, and he was the candidate for Congress on the Republican ticket in the Roosevelt district.

Mr. President, former Mayor O'Dwyer, as has already been stated, came to this country as an immigrant when he was 20 years old. By his own efforts he worked his way forward until he became Mayor of New York City. The people of New York twice elected him. I am sure that in those campaigns his entire record was under intense scrutiny. So far as I know, nothing was ever proved to his discredit or dishonor. Everything was clear in spite of those Republican attacks.

So, Mr. President, it seems to me with his background, his understanding of the Spanish language, and his acquaintance with Spanish customs and ideals he is a splendid man for us to send as Ambassador to Mexico.

Mr. CHAVEZ. Mr. President, will the Senator yield for a question?

Mr. CONNALLY. Yes.

Mr. CHAVEZ. Is it not proper and is it not sound that one who understands those things, as the former Mayor of New York does, if he has the inclination, which he has, should be our ambassador to Mexico?

Mr. CONNALLY. I thoroughly agree with the Senator from New Mexico. That is what I was saying.

Mr. CHAVEZ. For instance, in the two New York mayoralty campaigns, under our American system, the people of New York passed on the questions that were brought up in those campaigns, and they elected him twice.

Mr. CONNALLY. Each time by a very large majority.

Mr. President, I hope that the Senate will not recommit this nomination, but in proper order will confirm the nomination, because the committee was for him and the people are for him.

Mr. IVES. Mr. President, I regret very much that a situation seems to have developed which makes it appear that there is a Republican attack upon former Mayor O'Dwyer. I tried to indicate in my remarks to the Senate last Friday night that that was the one thing I was trying to keep entirely out of the discussion. If it had been a question of partisan politics, I would have objected previously. I would have objected then. I would not have waited until the following Monday. It is because of events which have occurred since that time, which could not possibly have been brought to the attention of the Committee on Foreign Relations, which I believe have a great and profound bearing upon this whole question, and which should be taken into consideration, that I now rise and make the motion to recommit, in order that the committee may give this matter the consideration to which I feel it is entitled.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. IVES. Certainly.

Mr. CHAVEZ. Will the Senator from New York tell us now what his objection is? Notwithstanding my great feelings for Mayor O'Dwyer, if the Senator from New York will tell the Senate now what his objections are, he may be able to convince me that I should vote against his nomination and vote in favor of his motion to recommit the nomination to the committee.

Mr. IVES. I think the excerpt which I read from the newspaper column of last Saturday is sufficient evidence of what I had in mind. Perhaps the distinguished Senator from New Mexico was not present when I read the article. If he was not present, I shall be glad to read it again.

Mr. CHAVEZ. I am extremely sorry I was not present, but if the Senator will tell the Senate why he wants to send the nomination back to the committee, the Senator may convince me.

Mr. IVES. The reason is a simple one. The question of gambling in the Borough of Brooklyn, county of Kings, which are one and the same, has been brought directly into the center of this picture. Former Mayor O'Dwyer has been reported to have stated that the investigation of that question by the district attorney of the county was a "witch hunt." Mr. O'Dwyer, as mayor of the city of New York, was responsible for the conditions which existed in the city of New York, at least insofar as the police department was concerned. I say to my distinguished colleague from New

Mexico that this matter should be explored, or at least action by the Senate should be delayed until we find what the outcome is in the city of New York. I do not think it is fair to the former mayor of New York City that his nomination should be confirmed under such conditions, and I do not think it is wise from the standpoint of the country to have it confirmed under such conditions. That is why I am making my motion to recommit the nomination.

Mr. WHERRY. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Anderson	Hill	Martin
Benton	Hoey	Morse
Butler	Holland	Mundt
Cain	Humphrey	Murray
Chapman	Hunt	Neely
Chavez	Ives	O'Connor
Connally	Johnson, Colo.	O'Mahoney
Cordon	Johnson, Tex.	Robertson
Darby	Kefauver	Russell
Donnell	Kerr	Saltonstall
Douglas	Kilgore	Schoeppel
Dworshak	Langer	Smith, Maine
Eaton	Leahy	Stennis
Ellender	Lehman	Thomas, Okla.
Ferguson	Long	Thye
Frear	McCarran	Watkins
Fulbright	McClellan	Wherry
Gillette	McFarland	Wiley
Graham	McKellar	Williams
Green	Magnuson	Young
Gurney	Malone	
Hendrickson		

The PRESIDING OFFICER. A quorum is present.

Mr. IVES. Mr. President, I want to be just as fair as I possibly can be about this matter. I do not want to see any politics in it so far as I am concerned. I like Bill O'Dwyer. What I am trying to do here is for what I believe to be the interest of the country and, by the same token, perhaps the interest of Mayor O'Dwyer. Under the circumstances I should like to withdraw my motion to recommit and substitute therefor a motion to postpone action on this matter for 2 days, during which time I will get in touch with the district attorney of Kings County, Mr. Miles F. McDonald, asking him to send a communication in writing to the distinguished chairman of the Senate Committee on Foreign Relations saying, if such is the fact, that he is acquainted with no evidence of any kind for which reason former Mayor O'Dwyer should not be confirmed by the Senate as Ambassador to Mexico. I think that is a fair proposition. I think it will provide a reasonable solution—and I dare say there are members of the Democratic Party who may have a feeling similar to my own in this connection. Therefore I request that the postponement motion be substituted for the motion to recommit.

The PRESIDING OFFICER. The Senator's motion is in order. He has withdrawn his motion to recommit, and makes a motion that the nomination be deferred for 2 days.

Mr. FERGUSON. Mr. President, as I understand it will not be necessary to take a vote upon the question as to whether or not it can be deferred for 2 days.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. FERGUSON. Is there something pending which requires an immediate vote?

The PRESIDING OFFICER. The question of the confirmation of the nominee is before the Senate in executive session. The question is debatable.

Mr. FERGUSON. I simply wanted to know the parliamentary situation.

The PRESIDING OFFICER. By unanimous consent or by motion the Senate may defer consideration of this nomination, but it is the pending business.

Mr. FERGUSON. Mr. President, I hope the nomination will be deferred for several days. I think a letter from the district attorney, Mr. McDonald, of Brooklyn, and also a letter from Mr. Hogan, who is the district attorney of the borough of Manhattan, both of which are included in the territory served by Mr. O'Dwyer as the former mayor, would clear up the situation. What is contained in the letters can be reported to the Senate. I am satisfied that the mayor himself does not want a feeling to exist that there has been a cutting off of any investigation of his acts as mayor of the great city of New York. I hope the Senate will agree to the motion that the Senate delay action for 2 days, so the matter can be cleared up. If the contents of the letters make clear to the committee that no hearing respecting them is required, that can be reported to the Senate. If the contents of the letters are such that the Foreign Relations Committee should go into the matters further, the committee can take such action as it sees fit. A request is not made that the Foreign Relations Committee ask for the letters, but the distinguished senior Senator from New York himself is willing to ask for the letters. The letters can be submitted to the Senate, so the Senate itself can decide whether it has the facts needed before it can act.

Mr. CONNALLY. Mr. President, I hope the Senate will not postpone action on the nomination. What Senators propose is to let a district attorney act on the confirmation instead of the Senate. Senators would seem to intimate that whatever the district attorney decides upon, we will do. I am not in favor of any such procedure. No one who has any respect for the functions of the Foreign Relations Committee ought to insist upon such procedure. Mr. President, what did the committee do in respect to the nomination? A great many letters were received by the committee dealing with the nomination. We answered them and told the writers when the hearings were to be held, when we were going to consider the nomination. Mayor O'Dwyer came all the way back from California to attend the hearing. He was in California on his vacation. What came of it all? We invited a great many individuals, but what became of it all? One little fellow came, a man who is running for Congress on the Republican ticket. He is the only man who showed up. We heard him. We let him talk as long as he wanted to talk. Then the mayor got on the stand and discussed all the so-called charges and the

indictments when he was district attorney, and everyone was given time to interrogate him. Why did not the Senator from New York [Mr. Ives] come to the hearing? Why did not the Senator from New York show up at the hearing, if he knows so much about the case?

Mr. IVES. Mr. President, is the Senator from Texas asking the Senator from New York a question? The Senator from New York did not come to the hearing, so far as this particular matter is concerned, because in the first place nothing was known about it, then and in the second place the Senator from New York understood the Senate committee was going into every aspect of the matter.

Mr. CONNALLY. We did.

Mr. IVES. The committee could not have done so.

Mr. CONNALLY. We could not have done so because we had no knowledge of the matters in question then. I do not know where the Senator from New York received his information, but he did not think enough about it to come before the committee at any time. Neither did the Senator from Michigan [Mr. FERGUSON] come before the committee. Why did not the Senator come before the committee, if he knows anything about this particular matter?

Mr. FERGUSON. Mr. President, will the Senator from Texas yield?

Mr. CONNALLY. Yes.

Mr. FERGUSON. Some matters appeared in the press subsequent to the committee hearings.

Mr. CONNALLY. Yes; I know.

Mr. FERGUSON. In fact the Herald Tribune article of September 16, 1950, contained only an inquiry in relation to the matter.

Mr. CONNALLY. Yes; I understand.

Mr. FERGUSON. It was not the desire of the Senator from New York or of the Senator from Michigan to ask that the committee hold further hearings but to see whether or not the district attorneys—

Mr. CONNALLY. Would confirm him or not.

Mr. FERGUSON. No; not confirm him.

Mr. CONNALLY. The Senator wanted to see whether the district attorneys would confirm him or reject him. It seems to be the theory of the Senator from Michigan that a little newspaper publicity will be secured by postponement. Oh, it is proposed to postpone the matter for 2 days, and then when it has been postponed for 2 days another little newspaper somewhere prints something about the matter in its columns and—"Wait a minute, we have to postpone the matter for another 2 days so we may be able to hear what this fellow knows about the matter"—when he does not know anything.

Mr. President, we have given this case the closest attention. Mayor O'Dwyer came all the way back from California to face his accusers. He faced them. He never dodged a question. He answered every complaint which was made to the satisfaction of the entire committee, with the exception of one member, who did not vote in the affirmative or negative, but simply voted "present." When

so nearly a unanimous agreement can be reached by a committee to report the nomination favorably—only one member not voting affirmatively—the nominee ought to be confirmed. I appeal to the Senate not to postpone action, but to proceed and vote on the nomination. If Senators do not want to vote to confirm the nomination of Mayor O'Dwyer, let them vote against confirmation, but let us have a vote and end the matter.

Mr. McFARLAND. Mr. President, before I made the motion that the Senate proceed to the consideration of executive business, I consulted with the distinguished minority leader as to whether there was any objection to taking up the nomination. The distinguished Senator from Iowa [Mr. HICKENLOOPER] had withdrawn his objection to considering the nomination. If the Senator from New York [Mr. Ives] had conveyed his objection to the minority leader, I might well have waited another day, or perhaps 2 days, to move an executive session to consider the nomination. But, Mr. President, the Senate having taken up the nomination, thinking there was no objection to considering it at this time, I believe it would be a blot upon the reputation of a distinguished and outstanding statesman in the State of New York if we should delay action.

The nomination having come before the Senate I believe we should vote on it, and vote it up or down at this time. When such a matter is postponed for a couple of days by reason of a newspaper article, it tends to indicate that the Senate of the United States thinks there is something wrong with the nominee. For that reason I hope the Senate will vote down the motion of the distinguished junior Senator from New York.

Mr. CHAVEZ. Mr. President, will the Senator yield for a question?

Mr. McFARLAND. I yield.

Mr. CHAVEZ. Is it not true that if there is anything wrong with Mr. O'Dwyer 2 days from now something is wrong now, and we should pass on the question?

Mr. McFARLAND. That is correct; and if there is anything wrong with Mayor O'Dwyer now there was something wrong 2 months ago. This thing is nothing new. It was before the committee. If we postpone action on a nomination every time a newspaper article appears in connection with it, we would never confirm anyone. We are drawing near the end of the session, and I say it would be unfair to Mayor O'Dwyer to postpone consideration of the nomination, when the Senate thought there was no objection to taking it up at this time.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. WHERRY. Inasmuch as the minority leader has been brought into the discussion, I should like to say a word. There is nothing unusual about the request of the Senator from New York. Time and time again when nominations have been brought before the Senate, and, for some special reason, request has been made that action on the nomination be postponed for a couple of days, such action has been taken. I think the Senate should extend the Sen-

ator from New York the courtesy of granting his request for postponement.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. McFARLAND. I wish to make it plain that if the request had been made at the proper time I at least would have consented to postponement for one day, but such a request was not made. That is the point I am making.

Mr. WHERRY. I wish to answer that statement. The Senator is rather exercised over the point as to the time when the objection was made. It is true that the distinguished acting majority leader came to me and asked me if I knew of any objection to the consideration of the nomination. I had not yet conversed with the Senator from Iowa [Mr. HICKENLOOPER], and he was on the floor. I believe both of us talked to him at the same time. As I understood the Senator from Iowa, he was not going to interpose objection, but he wished to make a few remarks about the nomination.

When the time came for him to make those remarks, in order that he might have an opportunity to make them, it being necessary for a Senator to reserve the right to object to the nomination to bring that about, I said I would ask that the nomination go over.

There was another reason for the request. After the distinguished Senator from Iowa talked to me, other Senators talked to me. At that time they were not sure what they would do; but they thought that possibly the nomination should be recommitted, so that they could study the hearings, if they wished to do so, or so that they themselves might have an opportunity to do some investigating on their own account. What is unreasonable about that, Mr. President?

Furthermore, any Member of the Senate has a right to rise and ask that a nomination go over for 2 or 3 days or for any length of time he wishes to request, even after the nomination is before the Senate for consideration.

These nominations come up automatically. The only way in the world the consideration of a nomination can be prevented is for a Senator to ask unanimous consent that the nomination be passed over. I asked unanimous consent for that purpose; but the distinguished Senator from Arizona did not agree to the request; he said he objected to it. So he himself forced this nomination before the Senate today.

Up until this moment, I had no knowledge of the charges made or whether they were considered by the committee or were not considered by it. However, now, as a Member of the Senate, one who is not a member of the Foreign Relations Committee, I am charged with the responsibility of voting for or against confirmation of the nomination, knowing what was published in the newspaper after the committee reported the nomination by the vote which has stated to us by the distinguished Senator from Texas—in short, a unanimous vote, with the exception of the vote of one member of the committee, who voted "present."

The matter of the newspaper article came up after the committee report was made. In the report there is nothing about the article or the matter to which it relates. In fact, I do not think the committee has even filed a written report with the nomination, if my understanding of that matter is correct; and I believe I am correct in that respect. I do not believe there is even a printed report on the nomination. I am not complaining about that, because, of course, we are approaching the end of the session.

Certainly the minority leader has done his level best to cooperate in regard to the program. I do not want to cause any delay; but I wish to say that when I read the article in question in the newspaper on Sunday, and when someone called me about it, I said, "Well, that certainly has come up after the committee made its report. I cannot see why the committee, in fairness to the mayor, should not make a further investigation and give the mayor a clean bill of health."

Of course, possibly the committee has already heard about that matter. The distinguished Senator from Texas says that just one man came before the committee—a Republican, a "little fellow," so the Senator said, who is said to be a candidate for election to the House of Representatives.

Mr. President, I do not know how "little" he was or whether he was a Republican, or who he was. Nevertheless, any man who had the courage to come to the committee and oppose the nomination, if he felt that the nomination should not be confirmed, certainly was acting within his right.

Regardless of whether he is so little that if he were wearing a high silk hat, he could walk under a snake and not even touch the snake, certainly at least he has a right to oppose confirmation of the nomination if he wishes to do so.

Of course I am the minority leader, and I wish to do what is right.

I ask the acting majority leader not to force this matter now, but to let the nomination go over for 2 days. My judgment is that by that time we can have ironed out this matter, and then can vote on the nomination.

At this moment, I speak in favor of recommitting the nomination, because I think such a request is a perfectly normal and reasonable one. If that motion is opposed, I shall be forced to vote against confirmation of the nomination, because I have no way of knowing about this matter now, other than what I have learned about it from the article which was published in the newspaper. I understand that it was published in several other newspapers, in addition to the New York Herald Tribune.

Mr. McFARLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McFARLAND. The motion to recommit has been withdrawn, has it not?

The PRESIDING OFFICER. That is correct.

Mr. WHERRY. Very well; then I correct my remarks. I was absent for a moment or two from the floor, while answering a telephone call.

Let me inquire what the pending motion is, Mr. President?

The VICE PRESIDENT. The pending question is on agreeing to the motion to postpone consideration of the nomination for two calendar days.

Mr. WHERRY. In other words, that motion, if agreed to, will result in postponing consideration of the nomination to Wednesday, a day certain. Very well, Mr. President. That motion makes my argument all the better, for certainly the motion is now predicated on a very reasonable request, namely, to hold up action on the nomination for 2 days, postponing action on the nomination to a day certain. If the motion is agreed to, there is no doubt that the nomination will come up at that time.

If the acting majority leader wants to have this matter brought up for consideration, I think he himself should join in the request now made, and should give the Senate 2 days to look over this nomination.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. MUNDT. The junior Senator from South Dakota does not have the least idea in the world whether Mayor O'Dwyer's nomination should be confirmed or should not be confirmed, or what these new charges may entail; but the Senator from South Dakota is curious to try to find some rational rule by which the precedents in regard to senatorial courtesy seem to operate in this body. As a comparatively new Member of the Senate, the junior Senator from South Dakota would like to direct a question or two to the minority leader, who has had vast experience in this field.

Am I not correct in my memory that not so long ago, while operating, it seems to me, almost exclusively on the basis of senatorial courtesy, the Senate by overwhelming votes refused to confirm the nominations of certain persons coming from the States of Iowa, Virginia, and Georgia? As the Senate will recall, in connection with those nominations there was no question of dishonesty or disloyalty, but objection was made to the nominations because the Senators from those States objected to confirmation of the nominations.

In view of the fact that the Senate rejected those nominations because of objection by the Senators from the States concerned—in other words, because of the application of the precedents in regard to senatorial courtesy—surely in the same spirit of senatorial courtesy the Senate should permit 2 days to elapse now, so that the Senator from New York could satisfy himself in regard to the nomination in the case of a citizen of his own State.

Mr. WHERRY. Is that a question, Mr. President?

Mr. MUNDT. Yes.

Mr. WHERRY. Certainly all Senators know that it is reasonable to request that a nomination be passed over; and in this case, in accordance with the request of the distinguished senior Senator from New York [Mr. Ives], certainly it is reasonable to request that the nomination be passed over for 2 days.

Certainly we attempt to proceed on the basis of agreeing to all reasonable requests by Senators; and certainly this request is most reasonable; and similar requests have been granted many, many times, in my experience in the Senate.

Mr. MUNDT. Let me ask whether these very friendly and worth-while principles of senatorial courtesy are supposed to operate solely for the benefit of the majority party?

Mr. WHERRY. Oh, no. Senatorial courtesy is supposed to extend equally to Senators on both sides of the aisle, just as unanimous-consent agreements can be entered only by agreement on the part of all Members of the Senate, Members on both sides of the aisle, or otherwise there will be no unanimous-consent agreement. Therefore, such matters work both ways, and such courtesies should be extended to Senators on both sides of the aisle.

Mr. MUNDT. I have one further question: I wonder whether the distinguished minority leader would advise me whether I am correct in understanding that the full extent of the courtesy being requested by the senior Senator from New York [Mr. Ives] is, not that the Senate reject the nomination, as was done in the case of the other nominations to which I have referred, but simply that the Senate postpone action on the nomination for 2 days—which would seem to me to be the very minimum amount of courtesy the Senate could extend to one of its Members under the circumstances.

Mr. WHERRY. I wish to answer the Senator from South Dakota now by stating that that is the proposal of the Senator from New York at this time. He withdrew his motion, and now has requested that the nomination be passed over for 2 days.

When the distinguished Senator made his motion, I understood him to say he had in mind the same purpose and same objective which he has in mind now in connection with his present request—namely, that he felt that Senators should have time to clear up this matter and to bring back a clean bill of health for the former mayor. The senior Senator from New York [Mr. Ives] spoke in glowing terms, high terms, complimentary terms, if you please, of the distinguished former mayor of New York.

I say to the distinguished Senator from South Dakota that he is getting along perfectly all right in his interpretation of the rules of the Senate, and of course he is asking questions which he himself can answer. However, if it will be of any help to him, I shall reply to his last question by saying that I am satisfied that the distinguished senior Senator from New York went the whole route when he said he would ask consent that the nomination go over for 2 days, rather than move that the nomination be put over or be delayed indefinitely.

Mr. McFARLAND. Mr. President, I wish to clear up the matter of senatorial courtesy. No one has tried to extend more courtesies to the minority side than I have. However, this matter has passed the point of senatorial courtesy.

The majority leader gave notice on last Friday that this nomination would

be brought up today. Earlier today, shortly after the Senate convened, and before I brought up the nomination, I gave notice that I would move its consideration. If at that time any objection had been made and if senatorial courtesy had been extended to me then, by having a Senator who wished to have the nomination go over come to me and ask me to agree to have that done, before the discussion occurred on the floor of the Senate, certainly I would have tried to comply with such a request.

However, once a nomination is taken up, following announcement of the intention to take it up, and when following that announcement no Senator comes to the Senator making the announcement and requests the courtesy of being able to consider the matter further, then it is a reflection upon the Senator who moves to have the Senate consider the nomination, for another Senator then to ask, during the consideration of the nomination by the Senate that it be postponed because of newspaper articles.

Furthermore, Mr. President, I submit that 2 days from now we could not clear up a matter of this sort any more than we could do so at this time, for by that time there would be other newspaper articles, one of which no doubt would be to the effect that the Senate has held up confirmation of the nomination of former Mayor O'Dwyer; and that information would be carried in the headlines of various newspapers in the State of New York. As a result, irreparable injury would be done to the nominee.

Therefore, Mr. President, I think the Senate should confirm the nomination today.

Mr. WHERRY. Mr. President, I shall only detain the Senate for about 2 minutes.

Mr. President, I inquire if the Senator from Texas wants me to yield to him.

Mr. CONNALLY. The Senator from Texas would not dare do that.

Mr. WHERRY. If the Senator from Texas wants me to yield to him, I shall be glad to do so.

Mr. CONNALLY. I do not want the Senator from Nebraska to yield.

Mr. WHERRY. The Senator was making some remarks. I will yield to him, if he wants me to yield. I want to be fair in my use of the time.

I desire to say again that there is no reflection on Mayor O'Dwyer in connection with this request. That statement is 100-percent correct. The request which is being made is the usual one. I did my level best to cooperate with the majority to get the nomination up for consideration, but anyone has a right to ask that nominations be passed over. As the Senator from New York has so graciously said, reviewing senatorial courtesies on both sides, no one has complained about the action of the distinguished acting majority leader in bringing up this nomination. It is true he said he would bring it up, and, when he did so, the distinguished Senator from New York made a statement in the Record in which, while paying tribute to Mayor O'Dwyer, he said he was not going to consent to taking up the nomination at this time. This discussion all took place following that.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. WHERRY. I am satisfied that if the majority leader were here—and no reflection is intended on the acting majority leader—he would agree that, in view of the Senatorial courtesies extended in times gone by, as well as the precedents which have been brought to the attention of the Senate by the junior Senator from South Dakota, with reference to recent nominations, from the State of Iowa, the State of West Virginia, and the State of Georgia, a postponement would be in keeping with the precedents. There is no reflection intended. There was a delay, of course, in the other case, and there were those who wanted to defeat the nomination, as I understand; at least, they wanted the matter postponed until they could make up their minds.

Here we are simply asking that this nomination go over for 2 days, say until Thursday, and that it then be considered by the Senate. What is wrong about that? What is fairer than that? Why is it not a normal proceeding? Why is it desired to force a vote on the nomination today?

Mr. McFARLAND. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Arizona for a question?

Mr. WHERRY. I yield.

Mr. McFARLAND. Mr. President, I should like to say to the distinguished Senator from Nebraska that I am not going to say what Senator approached the acting majority leader, but it was stated to me that it was not the desire that Mayor O'Dwyer's nomination should be defeated, but that his nomination could come up next January. That is the kind of proposal I want defeated by the Senate. If Senators are willing to enter into a unanimous-consent agreement that this nomination be voted on day after tomorrow, at 1 o'clock, I shall make the request.

Mr. WHERRY. Mr. President, I am not in position to enter into a unanimous-consent agreement fixing the time for a vote. But I shall be glad to enter into a unanimous-consent agreement, so far as the minority members are concerned, who are perfectly willing that the nomination shall be brought up on Thursday at 1 o'clock, at which time there can be such debate as may be necessary. In that way they will be afforded opportunity to make a determination; and at that time, if another unanimous-consent request should be made, we might be in a receptive mood.

I do not believe any Member of the Senate has been more cooperative in the matter of unanimous-consent agreements than has the minority leader, the Senator from Nebraska. But I am not going to say now what time should be fixed for voting on this nomination. If there is no argument, we can vote on it in five seconds, and if there is argument, believe me, we are going to have plenty of time to debate the nomination. We shall know at 1 o'clock Thursday; and that is only fair and reasonable.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. CHAVEZ. May I ask what is the objection to the confirmation of the O'Dwyer nomination today?

Mr. WHERRY. The reasons have been stated by the Senator from New York and by the Senator from Michigan, who have asked that, as a matter of senatorial courtesy, the nomination be passed over for 2 days. A Senator has the right to make unanimous-consent request, in his own time, in regard to doing certain things, and that is all that is being done here.

Mr. CHAVEZ. What is wrong with a unanimous-consent request to let the matter go over for 48 hours, and come to a unanimous-consent agreement to vote on it Wednesday at 1 o'clock?

Mr. WHERRY. Mr. President, the thing that is wrong is this: I do not know at this time whether that would afford sufficient time for debate on confirmation, if time should be allotted for debate. The Senator well knows what is wrong with it.

Mr. CHAVEZ. I should like to ask, What is wrong with O'Dwyer?

Mr. WHERRY. The junior Senator from Nebraska is not saying there is anything wrong with him.

Mr. CHAVEZ. I should like to know how the Senator from Nebraska and the Senator from New York feel about it.

Mr. WHERRY. Is the Senator asking me that question?

Mr. CHAVEZ. Yes.

Mr. WHERRY. I would not say that there is anything wrong; but I do say that if there is anything wrong, the debate should determine it, and adequate time should be allowed.

Mr. CHAVEZ. The committee held hearings. There are certainly 13 Senators on the committee, who were trusted by the Senate to act on the nomination.

Mr. WHERRY. Certainly. Is there a report filed with committee hearings? No, none whatever. There is not a word in the report, on the point that I am trying to make. There is no way for one who does not have the information to judge. The distinguished Senator from Texas says that it is "newspaper." Of course it is newspaper. If there is anything to the newspaper story, a delay of 2 days would not make any difference so far as Mayor O'Dwyer is concerned; if there is something to it, it ought to be cleared up for his own sake and for the good of the country.

Mr. CHAVEZ. Let us look at it from this angle: I do not think that Mayor O'Dwyer needs either the Senator from New Mexico or the Senator from Nebraska to protect his integrity.

Mr. WHERRY. Very well—I am not suggesting that.

Mr. CHAVEZ. Now, I should like to know, whether it takes 24 hours or 48 hours, what objections the Senator from New York and the Senator from Nebraska have to Mr. O'Dwyer.

Mr. WHERRY. Mr. President, I will answer that question. There is no objection to bringing up the nomination for consideration Thursday. That is the request which is being made by the senior Senator from New York—or Wednesday, it would be Wednesday if it is postponed for 2 days. It is agreeable to make it Wednesday. There is no objection to that. Set the time, now, for 1

o'clock or 12 o'clock or 12:30. After the nomination comes back, if the distinguished Senator will propose a unanimous-consent request, we shall be in position to state whether we want to grant the request as to the time limit. However, if it is desired to force the nomination, the effort to force it might as well be made today as Wednesday.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. CHAVEZ. I hope, and I ask, that the Senator from Nebraska and the Senator from New York at that time state to the Senate what objections, if any, they have to Mayor O'Dwyer.

Mr. IVES. That is agreeable to me.

Mr. WHERRY. I cannot speak for the distinguished Senator from New York, but so far as the minority leader is concerned, I shall be glad to state, at 1 o'clock Wednesday, when the nomination comes up, whether there is any objection then to a unanimous-consent request to vote on the nomination immediately.

Mr. IVES. Mr. President, I yield the floor.

Mr. McFARLAND. Mr. President, in order to get this matter before the Senate, it may well be that no Senator desires to postpone consideration of the nomination until after the Senate recesses or adjourns; I do not know. They may have no such intention now, but they may entertain such an idea on Wednesday, and perhaps they now desire to leave the door open. Unless we can get a unanimous-consent agreement to vote on this nomination Wednesday, including a vote on any motions, if the nomination is before the Senate then, I shall insist a vote be taken today.

I ask unanimous consent that on Wednesday next, at 2 o'clock, the Senate proceed to vote upon this nomination, and upon any related motion which may be pending at that time; that the time between 1 o'clock and 2 o'clock on Wednesday be divided equally between the proponents and opponents; and that, on any motions, the debate be limited to 10 minutes, the time to be divided equally between the proponents and opponents.

Mr. WHERRY. Reserving the right to object, it will be impossible for the minority leader to agree to that unanimous-consent request at this time. But I do say we are in perfect agreement about bringing up the nomination on Wednesday at 1 o'clock, and, at 1 o'clock we shall then be glad to negotiate on the basis of a unanimous-consent request. If that cannot be done, and we are forced to vote on the nomination, by agreeing to a unanimous-consent request in advance, before we ever get to debate on the subject, I shall have to object.

The PRESIDING OFFICER. Objection is heard.

Mr. McFARLAND. Very well.

The PRESIDING OFFICER. The question is on agreeing to the motion made by the senior Senator from New York that further consideration of this nomination be deferred until Wednesday of this week.

Mr. IVES. I ask for the yeas and nays. The yeas and nays were ordered.

The PRESIDING OFFICER. Does the senior Senator from New York include in his motion a specific hour, such as the hour of 1 o'clock?

Mr. IVES. That is agreeable to me.

The PRESIDING OFFICER. The Senator from New York amends his motion accordingly. The question is on agreeing to the motion of the senior Senator from New York that the Senate defer further consideration of this nomination until 1 p. m. Wednesday of this week.

Mr. ANDERSON. Mr. President, that does not necessarily mean that it is to be voted on at 1 o'clock, does it?

Mr. WHERRY. That is correct, it will be voted on at 1 o'clock.

The PRESIDING OFFICER. The motion is that further consideration of the pending question on the confirmation of the nomination of Mr. O'Dwyer be deferred until 1 p. m. Wednesday of this week.

Mr. McFARLAND. Mr. President, I merely want to say a brief word in regard to the nomination. It has been thoroughly demonstrated to my satisfaction that there may be an effort on foot to postpone consideration of the nomination until after Congress adjourns. We may be ready to conclude the session by Thursday; we do not know. I hope that the motion will be defeated.

Mr. WHERRY. Mr. President, I think that statement should not go unchallenged. There is no effort at all on the part of any member of the minority to hold up this nomination or any other nomination, if it is desired to take it up. All we are asking is, as a matter of Senatorial courtesy, that the consideration of this nomination be deferred until 1 o'clock Wednesday; that is all.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. WHERRY. In a moment. To show that I am acting in good faith, I propose a unanimous-consent request that after the consideration of this nomination, on Wednesday, at some time before the session closes, the acting majority leader, or the majority leader, bring up the nomination for a vote before the Senate either recesses or adjourns. He can get that kind of a unanimous-consent agreement, but not until we have had a chance to look at this nomination in the time intervening, until 1 o'clock on Wednesday. I submit that to the acting majority leader as a modification of the request.

Mr. McFARLAND. Mr. President, we shall choose the time for presenting our own unanimous-consent requests. I refuse to accept the proposal of the junior Senator from Nebraska.

Mr. WHERRY. Does the Senator object?

Mr. McFARLAND. I object to the minority leader's telling me when I could propose a unanimous-consent request.

Mr. WHERRY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. WHERRY. That was not my unanimous-consent request. My request was in the nature of a substitute.

Mr. McFARLAND. That was the substance of it. So I object.

Mr. LEHMAN. Mr. President, earlier today the senior Senator from New York proposed that consideration of the nomination be postponed for 2 days, with the specific statement that he wished to take the matter up with the district attorney of Kings County, N. Y. That was a definite implication that the nomination would be voted on on Wednesday next. I think there is a great deal in what the acting majority leader has said, namely, that this may be an attempt to block consideration of the nomination entirely until after adjournment. If the suggestion of the minority leader means anything—and it is a suggestion which he has repeated and was accepted by the acting majority leader—an hour certain for a vote on the nomination on Wednesday should be fixed.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. LEHMAN. I yield.

Mr. ANDERSON. Does the Senator from New York recall the discussion which took place on this question on Friday, September 15? Does he recall that the Senator from Iowa objected and that the majority leader stated that he served notice that on Monday the Senate would take up the nominations of both Mr. Cohen and Mr. O'Dwyer? Does the Senator recall further that the minority leader then proposed that the nomination be passed over until Monday, and the majority leader agreed to it?

Mr. LEHMAN. I remember that very distinctly.

Mr. ANDERSON. Does that not, in the opinion of the Senator from New York, dispose of any question of senatorial courtesy?

Mr. LEHMAN. It seems to me it took care of every possible consideration of senatorial courtesy.

Mr. ANDERSON. Does the Senator from New York know of a single Senator who would object to having the nomination go over until Wednesday afternoon, provided a vote will be taken on Wednesday at a certain hour? Is it not a fact that every Senator is willing to have the nomination go over to a date certain if the time is fixed for a vote, but that there is no one who is willing to put it off simply until Wednesday, because on Wednesday we may be asked to let the nomination go over until Thursday, and perhaps another newspaper story will appear in the meantime and then we will be asked to let it go over until Friday?

Mr. LEHMAN. That is correct.

Mr. ANDERSON. Some Senators feel that the Congress ought to get away from Washington by Wednesday. I hope the Senator from New York makes it plain that there is no one on this side of the aisle who is objecting to waiting until Wednesday. The senior Senator from New York made a specific request and many Senators would like to accommodate him if there could be any assurance that we would be able to vote on Wednesday.

Mr. LEHMAN. The Senator from New Mexico has fully and clearly stated the situation. The proposal now before the Senate is quite different from the one which was made by my distinguished colleague, the senior Senator from New York. It means absolutely nothing. It

can result only in more time being asked for and more delay. I am perfectly willing to agree to a delay until Wednesday, in order to satisfy all the amenities, provided an hour certain is agreed on.

Mr. IVES. The senior Senator from New York would like to make it clear that he has no thought of conducting any filibuster on the matter. He has no thought of taking any more of the Senate's time than is absolutely necessary. He has been very brief today, and presumably on Wednesday, whatever the situation may be, he will take no more time than he has taken today. There is no necessity for agreeing on a specific time for voting.

Mr. McFARLAND. Mr. President, a Member of the minority side has come to me and suggested that I change the voting hour to 4 o'clock. Accordingly, I modify my unanimous-consent request to provide that the time between 2 o'clock and 4 o'clock be divided with the same provisions which I previously stated.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. McFARLAND. Yes.

Mr. FERGUSON. If unanimous consent for 4 o'clock is given, no matter what the Senator from New York may ascertain in the meantime, a vote would have to be taken at that time. We would not be able to vary the agreement, and the majority side would not be able to vary it.

The PRESIDING OFFICER. The Senator from Arizona has the floor.

Mr. McFARLAND. I should like to add to the statement that I did not preclude any motions. I left the door wide open. If Senators are acting in good faith and wish to vote on the nomination before we adjourn, they will accept the unanimous-consent request, because any kind of motion, including a motion to recommit, could be made.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. What is the parliamentary situation?

The PRESIDING OFFICER. The Chair understands that the Senator from Arizona proposed a unanimous-consent request that further consideration of the nomination be deferred until 2 o'clock on Wednesday, and that the time between 2 o'clock and 4 o'clock on Wednesday be divided equally by the proponents and opponents, and that at 4 o'clock the nomination be voted on.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. McFARLAND. Just a moment, please. The agreement also provides that the Senate shall proceed to vote upon all motions, and that debate on all motions be limited to 10 minutes, with 5 minutes allotted to each side.

Mr. FERGUSON. Mr. President, will the Senator yield for a question?

Mr. McFARLAND. Yes.

Mr. FERGUSON. Does that include a motion to recommit the nomination to the committee for further hearing?

Mr. McFARLAND. I said all motions. Any kind of motion could be made.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. McFARLAND. Yes.

Mr. CORDON. Under the unanimous-consent request made—and I may identify myself as the one who made the suggestion—am I to understand that all the time, when no other matter is pending before the Senate, between now and the time set for the vote will be available to any Senator to discuss this subject, but that on Wednesday there is committed to a discussion of this subject the period from 2 o'clock to 4 o'clock, during which time the opponents and proponents may be heard and motions may be made, specifically a motion to recommit, and including a motion for further continuance of the matter, and that all motions must be voted upon beginning at 4 o'clock.

Mr. McFARLAND. The Senator has correctly stated the unanimous-consent request.

Mr. WHERRY. I again offer the modification, that the consideration of the nomination be deferred until 1 o'clock on Wednesday, provided that during the debate on Wednesday the majority leader or acting majority leader may propose a unanimous-consent request with respect to having a vote on the nomination, and I ask that the nomination be voted on before adjourning or recessing.

Mr. MORSE. Mr. President, reserving the right to object, I am satisfied that we have reached the point in the Senate where we have been running unanimous-consent requests into the ground so far as efficient operation of the Senate is concerned. I do not think they have been working out satisfactorily in recent weeks. I think on a great many occasions we would have voted sooner than we did under a unanimous-consent agreement if we had simply proceeded with the business of the Senate. I am satisfied that on many occasions they have been the cause of delay rather than expediting the work of the Senate. This particular unanimous-consent agreement, so far as I can see, does not advance us one whit over the position we presently occupy. Come 4 o'clock on Wednesday, there will be a motion for further postponement or recommitment. Therefore I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MUNDT. Before we vote on the measure I should like to make a statement to the acting majority leader, because I think he misunderstood some questions that I had asked of the minority leader. I do not want the acting majority leader to think that I believe he was acting without senatorial courtesy. There is no man for whose sense of fair play I have greater respect than the acting majority leader. I think I should repeat in an affirmative statement therefore the point I brought out in the interrogatories which I directed to the distinguished minority leader, because we are about to take a vote which may come back to plague us.

In the 2 years I have been in the Senate I have discovered that there is one essential difference in a situation of this kind between the Senate and the House

of Representatives, where I served for 10 years. In my view, the House has the happy habit of frequently making its rules as it goes along; in a sort of catch-as-catch-can maneuver. The Senate is very seriously dedicated to the past and precedents, and what we do today will be looked at by Senators tomorrow, next year, and 2 years from tomorrow, in the same way that I look back today to what we did only a few days ago when, after listening to the very eloquent plea of the distinguished junior Senator from Georgia, I along with many of my colleagues voted, strictly as a matter of Senatorial courtesy, to disapprove one of the President's appointments to an important job. He was a man I did not know, a man of whom I had never heard, and a man against whom there had been no charge concerning his character, loyalty, or integrity. However, he was a man who in opinion of the junior Senator from Georgia, for whom I have great respect, should not be confirmed. A little later the distinguished junior Senator from Iowa [Mr. GILLETTE] arose and urged us to vote against confirming the nomination of a judge in Iowa. He was a man I had never heard of. He was a man who the distinguished junior Senator from Iowa said was admittedly a worthy citizen of his State, but a man, in the Senator's opinion carefully arrived at, whose nomination should not be confirmed.

The same day, on a third vote, we voted against confirming a man appointed to a commission, a man by the name of Hutchinson, from Virginia, because the senior and junior Senators from Virginia urged us as a matter of senatorial courtesy to give enough credence to their viewpoint and their wishes not to vote for his confirmation. Overwhelmingly three times in a row the Senate confirmed the principle of senatorial courtesy. These distinguished Democratic Senators made the plea. Three times Republicans joined with the Democratic Senators in confirming the principle of senatorial courtesy.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. MUNDT. I yield to the Senator from New Mexico.

Mr. ANDERSON. The Senator certainly is not going to forget the vote after the Senator from Michigan made a strong fight against Mr. Hook, is he? Was that senatorial courtesy?

Mr. MUNDT. It was.

Mr. ANDERSON. On both sides?

Mr. MUNDT. Yes. I am happy the Senator remembered that case. I did not deliberately leave it out. It had slipped my mind. Four times we followed the principle of senatorial courtesy.

If we are to break that precedent, let us do it knowingly. Are we today justified in breaking a precedent, whereas a few days ago, four times—not three—relying in large part upon the judgment of the Senators from the States affected, this body refused to confirm Presidential appointments in keeping with the precedents of senatorial courtesy? Are we going to break these precedents, and say that today we are going to refuse his plea, despite the very moderate and

modest request of the senior Senator from New York that he be given, as a matter of senatorial courtesy, 2 days in which to bring in evidence? He is not asking us to reject the nomination. He is not asking us to do anything unusual. He is merely asking for 2 days, and we have offered to enter into a unanimous-consent agreement to vote on the nomination before adjournment.

Mr. CHAVEZ. Mr. President—

Mr. MUNDT. I shall yield in a few minutes. I wish to make the matter clear. I am talking as a very junior Senator from South Dakota, in the interest of finding out what we are going to do about senatorial precedents, so that when this question comes up again some time, as it is bound to, Senators who vote on the impending roll call will look back to see how they voted before, and to see how they voted when they were urged to vote, as they did vote, by the Senators from Virginia, Georgia, Iowa, and Michigan, so that we can be consistent in our rules on senatorial courtesy, and not play politics with it, as we do with too many other things.

Mr. CHAVEZ. Mr. President, will the Senator yield now?

Mr. MUNDT. I yield to the Senator from New Mexico.

Mr. CHAVEZ. I am very glad the Senator from South Dakota brought up the four cases of which he speaks. I agreed with the two Senators from Georgia, I agreed with the Senators from Virginia, I agreed with the Senator from Michigan, and I agreed with the Senator from Iowa. There were objections. Irrespective of how I feel toward Mr. O'Dwyer, if the Senator from New York at this particular moment makes the same objection that the Senators from those individual States made, I shall vote against Mr. O'Dwyer. Let us not confuse the issue now as to senatorial courtesy. Any time the Senator from South Dakota objects to the nomination of a postmaster in his State, I will stick with him.

Mr. MUNDT. May I say—

Mr. CHAVEZ. Just a moment. This is not that class of case. In the first place, outside of the Michigan case, the rest of them were individual, local cases. A man was appointed as judge for a district in Georgia, as to which the two Senators from Georgia have the say, and I was going to stick with them no matter what happened. The case of the judge in Iowa was an individual case in that State. Whether it was Senator GILLETTE, or even Senator HICKENLOOPER—if he had made the same kind of a point, as to senatorial courtesy—

Mr. MUNDT. The Senator's word "even" is entirely superfluous.

Mr. CHAVEZ. That is all right. I desire to protect the Senate.

Mr. MUNDT. If I may comment in my own time—

Mr. CHAVEZ. Let me say that the only difference is that if the committee had not looked into the matter so much, it would not make a bit of difference whether we allowed 24 hours or 48 hours. What difference does it make? I do think it is only fair that both sides of the matter should be worked out. Give them 48 hours, but tell us when we are to vote—at 1 o'clock, at 2 o'clock, or 4 o'clock.

Mr. MUNDT. Mr. President, I appreciate very much the contribution the Senator from New Mexico has given, which has tended to narrow the issue. Let us know exactly what we do confront on the impending roll call. Neither the character, the ability, nor the qualifications of Mayor O'Dwyer are at stake; they are not involved in the roll call; we ask only for an opportunity to learn what they are before we vote.

Mr. President, this is not a vote on the qualifications of Mr. O'Dwyer, about which, as I have said, I know nothing; and I have no predilection either way. I would like to know the facts. This is a vote to determine, in accordance with the rules on senatorial courtesy, whether we shall extend to the senior Senator from New York the courtesy of permitting him 2 days to determine upon some of the evidence which is alleged to be available about a citizen of his State, which people in his State want to present to the United States Senate. In other words, if I take aright the argument of the Senator from New Mexico, he says he would be perfectly willing to uphold his position provided the senior Senator from New York were to object to confirming Mayor O'Dwyer. Certainly we should not penalize the Senator from New York because of his sense of fair play. Certainly we should not penalize him by saying, "You are going to have to object now, before you get the evidence, before your colleagues in the Senate will extend you the customary courtesy." I applaud and commend the sense of fair play of the senior Senator from New York, who says he does not want to object now. He says he may vote for the confirmation if a full set of facts can be developed. The same is true of the junior Senator from South Dakota. He simply wants time to investigate the matter to get at the pertinent facts involved. What we are to vote on now, taking the definition of the Senator from New Mexico, is whether or not we want to limit the principle of senatorial courtesy to those who rise and object to someone, whether they have reason to do so or not, and before the evidence is given; or whether we are going to extend the courtesy of giving the Senator from New York—and any Senator—an opportunity to present the evidence to his colleagues.

I cannot bring myself to believe that the Senate, which four times a few weeks ago voted to extend the Members of the Senate the principle of senatorial courtesy, is now going to discriminate in the manner suggested against the senior Senator from New York, simply because he asks for 2 days' time in which to get the evidence required to guide his decision.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. MUNDT. I yield to the Senator from New Mexico.

Mr. ANDERSON. Does not the Senator recognize any difference between the other cases and the instant case?

Mr. MUNDT. There are some differences.

Mr. ANDERSON. Does not the Senator realize that in all four of the cases he has referred to, the committee recommended against the candidates? Does

not the Senator realize that in this case the Committee on Foreign Relations has unanimously reported in favor of the confirmation of the nomination?

Mr. MUNDT. I have not any real knowledge on the question, because there is no committee report in this case, so I must answer purely on hearsay.

Mr. ANDERSON. Is not the Senator willing to take the statement of members of the committee that that was the decision?

Mr. MUNDT. I am willing to take their statement, but I recognize that it was made before this new evidence was brought into the picture. I do not know how they would act now, with the full facts before them.

Mr. ANDERSON. This is not evidence brought into the picture; this is a newspaper yarn. Does not the Senator realize that the Senator from New York has not said that Mayor O'Dwyer is personally obnoxious to him.

Mr. MUNDT. Does not the Senator think that the attitude of the Senator from New York demonstrates a spirit of fair play, that all he wants is for the Senate to consider the evidence?

Mr. ANDERSON. I think he has known Mayor O'Dwyer for years. The Senate has indicated it is ready to vote on Wednesday.

Mr. WHERRY. Mr. President, objection is made. Let us vote.

The PRESIDING OFFICER. The yeas and nays have been ordered. Let the Senate be in order.

Mr. SALTONSTALL. Mr. President, I suppose it may be too late to make the plea I am about to make, but I make it particularly to the Senator from Arizona, the Senator from Texas, and the Senator from New York. I do not consider myself a close friend, but I know Mayor O'Dwyer, and I have known him for a number of years. I respect him. I respect what he has made of his life. I want to vote for his nomination as Ambassador to Mexico.

What we confront is this situation: There is a newspaper article from a reputable newspaper, the New York Herald Tribune, by one who, so far as I know, is a reputable reporter, and that article, dated September 16, says that the arrest of a man by the name of Gross may involve many of the top officials of the New York police force who were under Mayor O'Dwyer. The article further says that this is the investigation by the district attorney which Mayor O'Dwyer called a witch hunt.

In justice to those of us who want to vote to confirm Mayor O'Dwyer's nomination, it seems to me, to use colloquial language, that the senior Senator from New York should have the opportunity to put up or shut up on Wednesday next, and that we should leave the matter open for 2 days. I hope we will then vote and I hope I can vote for the confirmation of Mayor O'Dwyer's nomination. But it seems to me that, in view of this article in a reputable newspaper, which says that top officials in the police department, under the control of the mayor of the city, may be involved in a bad gambling set-up in the city of Brooklyn, we ought to hold the matter in abeyance for 2 days.

If the senior Senator from New York cannot produce evidence of the statements of the district attorney at that time showing that there is warrant for recommitting the nomination so that the committee itself may hear the evidence and be satisfied one way or the other, and if statements are made on the floor which can satisfy us one way or the other, then we certainly should vote to confirm Mayor O'Dwyer's nomination.

Mr. IVES. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. IVES. The Senator from New York is very grateful to the distinguished Senator from Massachusetts for his testimonial. The Senator from New York, however, again wants it definitely understood that he is not trying to block the nomination of former Mayor O'Dwyer. All the Senator from New York is trying to do is to ascertain the truth insofar as the truth may be ascertainable.

Mr. SALTONSTALL. I thank the Senator from New York. I do not want to give the impression that the Senator from New York is trying to block the nomination. He is trying to get at the truth, and we are all trying to get at the truth. It is very embarrassing for a Senator like myself who wants to vote to confirm the nomination of Mayor O'Dwyer, who has great respect for what Mayor O'Dwyer has made of his life, to be forced to vote today after an article such as the one to which reference has been made has appeared in the newspaper.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. CONNALLY. Will the Senator from Massachusetts agree, if we give 2 days' time for this matter, that an hour now be fixed at which time a vote will be taken?

Mr. SALTONSTALL. I would say to the Senator from Texas that I am not in a position to do so. I believe that on Wednesday this matter should be debated, and after debate has been had, if the Senator from Texas himself is agreeable to further consideration of the matter by the committee, very well; or if nothing is found from the district attorney's letter which is detrimental, or if the district attorney is not willing to say anything, we should then vote to send Mayor O'Dwyer to Mexico. I hope the Senate will not postpone the matter indefinitely.

Mr. CONNALLY. I know, but if we are merely to wait 2 days, and then start over, and go over the same matter again, I am not in favor of that. If the Senator will agree to a vote being taken at a definite hour on Wednesday, I will agree that the nomination go over to Wednesday; otherwise, I will not agree that it go over.

Mr. SALTONSTALL. I cannot enter into such an agreement. I will say to the Senator from Texas that, so far as I am concerned, at an appropriate hour on Wednesday, whether it be 2 or 3 or 4 or 5 o'clock, I would be willing to vote on a motion to recommit, to to send Mayor O'Dwyer to Mexico; and not to postpone the nomination further.

Mr. President, I should like to make one further statement about a matter which has been called to my attention by the senior Senator from New York. As I understand, if we take up the nomination on Wednesday we do so with the idea of voting either to send it back to committee or to send Mayor O'Dwyer to Mexico.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. LEHMAN. Is it not a fact that in connection with any unanimous-consent agreement to vote on a bill or on a nomination at any given hour, a motion to recommit is always in order? So will the Senator from Massachusetts point out to me what is unreasonable in the request that a certain day and time be set now to consider this nomination, to vote on it, or to consider any motions in regard to it? There is always the possibility of recommitting it if, in the judgment of the Members of the Senate, that is wise.

The PRESIDING OFFICER. The Senator from Massachusetts has the floor. He can yield only for a question.

Mr. SALTONSTALL. I will say to the junior Senator from New York that, provided a reasonable hour is set for voting, let us say 4 or 5 or 6 o'clock, so far as I am concerned, if nothing detrimental has been produced before that time, I shall be willing to vote.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. WHERRY. Mr. President, there is no use suggesting 3 or 4 or 5 or 6 o'clock or any hour as the time for voting, because there simply is no possibility this afternoon of securing a unanimous-consent agreement to vote. I have said, and I say again to substantiate what the distinguished Senator has said, that I believe this matter can be ironed out; I think we can later secure an agreement to vote without any difficulty, but I cannot agree to a unanimous-consent request this afternoon.

The PRESIDING OFFICER. Has the Senator from Massachusetts yielded the floor?

Mr. SALTONSTALL. No, Mr. President. I simply wish to say in conclusion that I would most humbly suggest, as one who wants to vote to confirm the nomination of Mayor O'Dwyer, that the Senator from Arizona permit the question to go over until Wednesday, and if nothing detrimental is found to exist, as a result of the inquiry which will be made, then we certainly should vote to send Mayor O'Dwyer to Mexico.

Mr. ANDERSON. Mr. President, I desire to take up the suggestion made by the distinguished Senator from Massachusetts when he said it is time to put up or shut up. I believe there is something to that suggestion. I think the Senator from Arizona has made a fair proposal, which is, that the nomination be taken up on Wednesday; that it be discussed between 2 o'clock and 4 o'clock on that day; and that at 4 o'clock it be left wide open to any sort of motion, such as a motion to recommit, to postpone to a later date, or to vote finally on confirmation. I only suggest that if there is any evidence developed in the 2 days

of sniffing around, then that evidence can be laid before the Senate. If the senior Senator from New York, for whom we all have the greatest respect, will then stand up on the floor of the Senate and say, "I guarantee to the Senate of the United States that I have evidence which will make the Members believe that it is wrong to confirm this nomination, that the nominee is personally obnoxious to me," he will not have a bit of difficulty, I think, with the Senate of the United States, even though the committee has practically unanimously reported the nomination favorably. But I believe we ought to vote on this nomination.

Here is a man who came back from California to attend the hearing of the committee, who offered to let any man who had evidence stand up and present it so that he could confront him. The evidence now spoken of was available at that time, but was not presented to the committee. It has since appeared in a newspaper story, after the committee has faithfully conducted and concluded its public hearings. Now it is suggested that, because a story has since appeared in the newspapers, we should wait until we have a chance to look into it. The proposal of the Senator from Arizona was that if we wait two full days, thus giving anyone who wishes to do so an opportunity to look into the matter as much as he wishes, at the end of those 2 days the Senate of the United States should consider the nomination, and then vote to recommit or to confirm. It could be postponed for another 2 or 3 or 4 or 5 days if the Senate of the United States thought there was evidence presented which justified such action. But oh, no, some Senators do not want to do that. They say, in effect, "We are going to be sure that when that day comes we can again postpone and postpone and postpone." And the Senator says, "I am not trying to block the confirmation."

Mr. President, I ask: If the senior Senator from New York is not willing to stand up and say that this nomination should be blocked, that this nomination should be delayed permanently, why should he ask the other Senators to do it? I realize, as all other Members of the Senate realize, the legislative position we are now facing. If the conference report on the bill dealing with subversives should come to the Senate, if the conference report on the tax bill should come to the Senate, and both should be agreed to promptly, there will be a drive to adjourn the Senate on Wednesday or Thursday at the very latest; there will be a suggestion that Congress return to Washington next November, and then the suggestion can be made that we can put off the nomination. But remember that every day we do that we are dealing with a man's reputation.

Here is an individual who has tried to serve his country in its uniform. Here is a man who has been elected to high office by overwhelming majorities by the people who ought to know him best, the people living around him. In the case of this man, when one little story appears that there may be graft in the police force in his town, then someone jumps to the conclusion that he

must be connected in some way with that graft. I know that stories of graft have appeared in cities where top officials have not been at all connected with it. We have had discussions in this community about matters connected with the police department, which did not reflect in the slightest upon the Commissioners or upon the District Committees of the Senate or House. I believe the same applies to the situation in New York.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. MUNDT. First, I simply wish to make clear the position set out by the majority leader that certainly we are willing to enter into a unanimous-consent agreement to vote on the confirmation before adjournment. We have offered to do so. Primarily I ask the Senator from New Mexico if he does not believe he is putting us up against a rather rough shotgun situation when he says, "Either you have to vote on this matter today or agree to an hour certain next Wednesday at which to vote." That seems to be imposing cloture upon the Senate under a much more severe rule than has ever before been suggested. I think it is taking cloture too far when we are asked to agree to vote at a certain hour, before we know what the evidence may amount to or what debate may be warranted.

Mr. ANDERSON. If the evidence is submitted, it should be submitted to the Committee on Foreign Relations. Senators should be willing to stand up and say, "I think this man is not the man for the position; that he is crooked; that he is a bad person." But nothing like that was said while the distinguished Senator from Texas and his committee were conducting hearings. Witnesses appeared before the committee, but no one said anything about the matter which has been discussed here today until the hearings were closed.

Mr. WHERRY. Mr. President, may I ask the distinguished Senator a question?

Mr. ANDERSON. Yes.

Mr. WHERRY. Certainly during the 2 days when the nomination would be again before the committee, it would be the committee's work to run down the evidence. The Senator from New York has not in any way indicated that he is going to build a case against the mayor. All he wants to do is to have the evidence adduced, see what it is, and make up his mind that when the Senate resumes consideration of the nomination he shall vote "yea" or "nay" on confirmation. Does not the Senator from New Mexico feel that it is the proper procedure to recommit the nomination to the committee so that the committee can report back its findings?

Mr. ANDERSON. I would remind the distinguished minority leader that there is nothing in the pending proposal that would recommit the nomination to the committee. The Senator from New York is not insisting that the committee look at the nomination again. He is asking for 2 days' delay. Two days in which to do what? So he can call up the district attorney in New York. I am in favor of him calling up the district at-

torney in New York. I am in favor of him talking to the newspaperman who wrote the article. Then if the Senator stands up on the floor of the Senate and says, "This man is venal and he should not be confirmed," so great is the respect for the senior Senator from New York and so great is senatorial courtesy that I think the Senate would act in accordance with his request. But the Senator has not done that. He wants to telephone to the district attorney in New York. He can telephone in 2 days.

Mr. President, I yield the floor.

Mr. IVES. Mr. President, in the first place I should like matters straightened out as to what the senior Senator from New York does think. So far as the senior Senator from New York is concerned the nomination can be brought to a vote today or any time the Senate wants to if it cares to vote on the question under the conditions which now confront us. The senior Senator from New York will vote against the confirmation at this time. And the senior Senator from New York would suggest that every Member of the Senate do likewise until some of the questions which have been raised are cleared up.

The senior Senator from New York stated his position very clearly last Friday night, when he said he was not opposing confirmation of the nomination. Last Friday night, had there been a vote on this question, the senior Senator from New York would have voted in favor of confirmation of the nomination of former Mayor O'Dwyer.

But over the week end there was found in one newspaper the article which has been referred to in the Senate, and on the next day there were similar articles in other newspapers.

If the Senate wishes to vote on the nomination at this time, despite that situation, far be it from the senior Senator from New York to try to stop the Senate. However, the senior Senator from New York refuses to vote for confirmation of the nomination under these conditions.

So far as the question of bringing up any evidence is concerned, the senior Senator from New York has no intention of presenting before the Senate a case connected with this matter. That is not the job of the senior Senator from New York.

The senior Senator from New York will, however, get in touch with the district attorney of King's County to ascertain from him his ideas, in line with what was previously suggested; and if the district attorney of King's County can find no reason why, because of any evidence which may be before him, the nomination of the former mayor of New York, Mayor O'Dwyer, should not be confirmed, then the senior Senator from New York will so notify the Senate. However, beyond that, the senior Senator from New York declines to go.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. IVES. Certainly.

Mr. LEHMAN. Would not it be possible for the Senator to get the information to which he has referred within the next 48 hours, if that is the case?

Mr. IVES. I should think so.

Mr. LEHMAN. And if the evidence which the Senator believes he may receive is unfavorable to the candidate, former Mayor O'Dwyer, would the senior Senator from New York in any way be prevented from making a motion to recommit, regardless of the hour set for the vote?

Mr. IVES. Not at all.

Mr. LEHMAN. Then why not do that?

Mr. IVES. The senior Senator from New York would like to point out to his distinguished colleague that setting the hour for the vote is one thing, and setting an hour for taking up and considering the nomination is something else.

The senior Senator from New York feels that under the conditions which now exist, the time for taking the vote itself should not be decided, but the only thing on which agreement should be reached should be the time when the Senate is to take up the nomination and consider it.

Mr. LEHMAN. Does not the senior Senator from New York realize that the acting majority leader made a proposal that the vote be taken at 4 o'clock and that the time between 12 noon and 4 o'clock be used for discussion of the nomination? Of course, that would not in any way limit the right of the senior Senator from New York, if the evidence was not in accordance with his own views, so far as concerns the propriety of making a motion to postpone or making a motion to recommit.

Mr. IVES. The senior Senator from New York would like to point out one thing to his distinguished colleague, namely, that a time limitation in that respect might preclude a determination of the matter on the basis of permitting the Senate to have the information which has been referred to and which may be extensive.

Mr. McFARLAND. Mr. President, I do not wish to delay the vote on this question.

First, I wish to thank the senior Senator from New York for his kind remarks about me. I appreciate them very much. I have tried to cooperate as best I could. I think I have extended every possible courtesy.

I did not move to have the Senate consider this nomination until I had conferred not only with the minority leader but with many other Senators on the minority side. I made the motion to have the Senate consider the nomination because no Senator objected to having the Senate take it up.

I wish the record to show that I would have been willing to have proposed that the time for voting on the nomination be Wednesday, at any hour which might be agreeable; and had there been a statement that the nomination would be objected to, I would have done so. However, I feel that it is important that we dispose of this nomination.

If the motion to defer consideration of the nomination were to prevail, it might well be that on Wednesday there would be a motion for final adjournment of the session; and immediately prior thereto, preferred matters would be considered by the Senate, and thus we might never have an opportunity to vote on the nomination.

Mr. WHERRY. Mr. President, I should like to have the record show that unanimous consent was proposed by the Senator from Nebraska to have the Senate vote on the nomination before the Senate takes a final recess or adjournment.

I should also like the record to show that the Senate is not going to take a recess on Wednesday, and it cannot possibly take a recess on Thursday. The House Appropriations Committee will not report the supplemental appropriation bill to the House until Wednesday, and that means we shall be very fortunate to get out of here by Saturday of this week.

So there will be plenty of opportunity to vote on the nomination and I think a unanimous-consent agreement could be reached in regard to having the Senate vote on the nomination.

Mr. RUSSELL. Mr. President, I desire to make a brief statement before the vote is taken, in view of the reference made by my distinguished friend, the Senator from South Dakota [Mr. MUNDT] to certain other nominations which were before the Senate a short time ago. I think there is quite a bit of difference between the two situations.

In the first place, it so happens that I appeared before the committee which was considering the other nomination, and I presented my objections to the committee, and the committee made an unfavorable report on the nomination. Instead of trying to have the nomination delayed, on several occasions I sought to have it brought forward and considered before the day on which it was considered by the Senate.

I hope I shall never be accused of a lack of senatorial courtesy to any of my colleagues in this body, on either side of the aisle.

If this matter were presented today, and if the distinguished senior Senator from New York were to state, while standing in his own place in the Senate, and speaking on his own responsibility as a Senator of the United States, that he objected to confirmation of the nomination, that he had reason to believe that the statements appearing in the newspaper were true, and that it was for that reason that he objected to confirmation of the nomination of former Mayor O'Dwyer, I certainly should support the distinguished senior Senator from New York in that position; and to my mind, that is as far as the matter of senatorial courtesy goes, in connection with dealing with a nomination.

Here we have a matter which has been brought up in the dying days of the session—or at least we hope they are the dying days of the session. The distinguished acting majority leader, the Senator from Arizona [Mr. MCFARLAND], has offered to put the nomination over until Wednesday, and that proposal conforms to the request of the Senator from New York. That is what the Senator from New York first requested, namely, that he be allowed 2 days. In conformity with that request, the Senator from Arizona requested unanimous consent that the nomination be considered on Wednesday. A postponement to Wednesday would be a postponement for the length of time the Senator from New York originally suggested. Even those

who object to the unanimous-consent proposal, state that the nomination should be brought up again in the Senate on Wednesday next.

If that is the case, Mr. President, I cannot understand why the nomination should not be brought to a conclusion on Wednesday.

Mr. IVES. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. IVES. The senior Senator from New York has no objection whatever to having the nomination brought to a conclusion on Wednesday, if it can be brought to a conclusion before midnight on that day; but the senior Senator from New York merely objects to setting a definite time for voting.

Mr. RUSSELL. Mr. President, I do not see any difference between the two. In my view it is tweedle-dee and tweedledum for a Senator to say that he will agree to have the Senate consider and vote upon the nomination on Wednesday, but he will not agree to have a time fixed for the Senate to vote on the nomination on Wednesday. The proposed unanimous-consent agreement protects every right of the Senator from New York, and protects him in every courtesy and every privilege and every immunity which any Member of the Senate possesses.

On Wednesday, when the matter is reached, the Senator from New York can rise in his place and can state to the Senate, "This nomination is personally objectionable to me." So he is protected in every right any Senator has when such a matter comes before the Senate. He may make any motion he desires with respect to the nomination.

Mr. IVES. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. IVES. Does the Senator construe the understanding in connection with that proposal to be that the senior Senator from New York would be granted additional time, beyond the unanimous consent agreement hour?

Mr. RUSSELL. If the Senator from New York does not desire to postpone this matter beyond Wednesday, I cannot for the life of me see why he objects to the unanimous-consent request, because it protects him in every right, every privilege, every immunity, and every courtesy any Member of the Senate has.

Mr. IVES. The Senator from Georgia did not answer my question.

Mr. RUSSELL. Then let the Senator from New York ask it again; perhaps I did not understand it. This entire matter has been a bit devious to me.

Mr. IVES. I can understand that, too, for it has been a little devious to me. I was trying to get before the Senate the matter with which we are faced, so that all of us could see it, but we seem to have run aground on a number of shoals.

I should like to ask the distinguished Senator from Georgia if it is his construction of the proposed unanimous-consent agreement that, by means of further unanimous consent, additional time could be granted.

Mr. RUSSELL. Of course that could be done. If any evidence is obtained

by the senior Senator from New York, the Senate could grant a request to postpone the vote further.

Mr. IVES. The senior Senator from New York does not recall a situation of that nature.

Mr. RUSSELL. There is no question about it. To make sure, I shall propound a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. RUSSELL. If the unanimous-consent agreement is entered, to have the Senate consider this matter on Wednesday, at 2 o'clock, when the hour of 2 o'clock on Wednesday arrives, would it not be in order for a Senator to request unanimous consent for a further postponement; and if that request were granted by the Senate, would not such further time be allowed?

The VICE PRESIDENT. By unanimous consent, a time for voting can be changed.

Mr. WHERRY. That is exactly the request I made. I proposed that we consider the nomination; and I proposed that by unanimous consent we would agree, before the week is over, to vote on the nomination.

Mr. RUSSELL. Perhaps inadvertently, Mr. President, we have solved this entire matter, because there cannot be any question, from a parliamentary standpoint, that, if the request of the Senator from Arizona were granted, another unanimous-consent request for a further postponement could be submitted on Wednesday at the hour agreed upon.

Mr. WHERRY. The only difference is as to the hour agreed upon.

Mr. RUSSELL. Or at any hour.

Mr. WHERRY. Let me state how I understood the situation in the first place, following the statements by various Senators in regard to unanimous-consent requests. My purpose was to propose a unanimous-consent request that before the Senate adjourned, we fix a day and hour certain on which the Senate would vote on the nomination.

Mr. RUSSELL. It would be necessary to submit the unanimous-consent request and get the agreement on it before the hour fixed for a vote, under this unanimous-consent agreement.

Mr. WHERRY. The Senator's suggestion is identical with mine. It will be necessary to enter into a unanimous-consent agreement in order to accomplish what the Senator from New York and the Senator from Nebraska have endeavored to accomplish today.

Mr. RUSSELL. Perhaps so. But if I understood the Senator from New York correctly, the unanimous-consent request which he submitted was merely one to postpone the matter until Wednesday.

Mr. IVES. Mr. President, it was not a unanimous-consent request; it was a motion.

Mr. RUSSELL. Then the Senator was not willing to agree to a definite and fixed time for voting on the nomination, is that correct?

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. FERGUSON. Would it not solve the problem completely if we were to

make the nomination unfinished business at an hour certain, Wednesday, to be proceeded with until disposed of?

Mr. RUSSELL. It occurs to me that ordinarily this matter would not be worth debating; but we are hoping that we will be able to adjourn or recess this week. In the first place, I have thought it was rather unfortunate that unanimous consent should be asked to take up the nomination and consider it on Wednesday, because that is the day we hope the House will take up the conference reports on the three bills which it is imperative to pass upon before Congress can recess or adjourn. But, in the next place, every right the Senator from New York requested was protected under the unanimous-consent request submitted by the Senator from Arizona.

The reason I made these few remarks, Mr. President, was because I wished to clear the record. I believe that the matter of senatorial courtesy extends across the aisle to both sides and reaches and flows to every Member of this body. But, in my opinion, this unanimous-consent request preserved every right of the Senator from New York, if he did, indeed, desire to wind up this matter on Wednesday.

Mr. ANDERSON and Mr. IVES addressed the Chair.

The VICE PRESIDENT. Does the Senator from Georgia yield, and, if so, to whom?

Mr. RUSSELL. I yield to the Senator from New Mexico.

SEVERAL MEMBERS. Vote! Vote!

Mr. RUSSELL. I may say, Mr. President, that cries of "Vote!" will not influence me to desist in my determination to explain my reason for casting my vote as I intend to do when this nomination is acted on. As a matter of fact, it might delay the vote somewhat. I yield to the Senator from New Mexico.

Mr. ANDERSON. Mr. President, does not the Senator think it best that the unanimous-consent request of the Senator from Arizona be modified so as to permit the Senator from New York to have 2 or 3 hours additional, if he so desires? I am not trying to shut off the Senator from New York, and I know of no other Senator who is. It seems to me that if we were to go ahead with a normal unanimous-consent agreement to vote at 4 o'clock, with the understanding that the senior Senator from New York, on his own volition, could occupy another 2 hours, it ought to solve somewhat that problem.

Mr. IVES. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. IVES. Mr. President, the Senator from New York does not know whether he will need 2 or 3 hours, or 2 or 3 minutes. It is altogether conceivable that very little time will be required for this, and that is the great absurdity in being so insistent upon trying to get a definite hour for a vote. The Senator from New York has no doubt whatever in his mind that this matter can be decided next Wednesday, day after tomorrow, if the motion is agreed to.

Mr. RUSSELL. Why does the Senator object, then, to the unanimous-consent request?

Mr. IVES. Because the Senator from New York does not want to lose the right, in event he might want to exercise it, of taking as long as he wants on this matter.

Mr. RUSSELL. The Senator is certainly on firm ground there. [Laughter.] I shall stand with the Senator from New York in his insistence upon taking as long as he chooses upon this or any other issue. I believe in freedom of debate in the Senate and will support the Senator from New York in his right to speak as long as he thinks necessary. But if he objects to a unanimous-consent request such as the one proposed, he must speak when the issue is pending.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. MUNDT. I may say I am very happy the Senator from Georgia has said that, because a few moments ago, while he was absent from the Chamber answering a telephone call, I was resisting an effort on the part of the Senator from New Mexico to obtain unanimous-consent agreement to vote on Wednesday and to provide that the hour to vote now be made certain. I felt sure the Senator from Georgia would not favor an effort to impose that cloture. I was confident he would not be in favor of a cloture which sets the hour to vote even before we hear the evidence.

Mr. RUSSELL. There is a great deal of difference between cloture and a unanimous-consent request.

Mr. MUNDT. The results are the same; debate is shut off by either tactic.

Mr. RUSSELL. A Senator can protect himself by objecting to a unanimous-consent request, but if a Senator wishes to speak at length upon this floor, on any subject, it is my advice to him that he be ready, able, and willing to speak when the matter is reached. If he is not ready and willing to speak then, he can lose that fundamental right of unlimited debate in the Senate.

Mr. MUNDT. Mr. President, the Senator from New York will be ready on Wednesday.

Mr. RUSSELL. Mr. President, I do not regard the unanimous-consent request which was propounded by the Senator from Arizona as failing in any way to observe all the courtesies and all the amenities which properly should and do exist among Senators.

The VICE PRESIDENT. The question is on agreeing to the motion made by the Senator from New York to postpone further consideration of this nomination until 1 o'clock p. m., Wednesday next. The yeas and nays having been ordered, the secretary will call the roll.

The Chief Clerk called the roll.

Mr. McFARLAND. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Arizona [Mr. HAYDEN], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Illinois [Mr. LUCAS], the Senator from Connecticut [Mr. McMAHON], the Senator from Pennsylvania [Mr. MYERS], and the Senator from Maryland [Mr. TYDINGS] are absent on public business.

The Senator from California [Mr. DOWNEY] is necessarily absent.

The Senator from Mississippi [Mr. EASTLAND] is absent because of illness.

The Senator from Georgia [Mr. GEORGE] is necessarily absent, attending a meeting of the conference committee on the tax bill.

The Senator from South Carolina [Mr. MAYBANK], the Senator from Florida [Mr. PEPPER], and the Senator from Utah [Mr. THOMAS] are absent by leave of the Senate.

The Senator from Alabama [Mr. SPARKMAN] is absent by leave of the Senate on official business, as a representative of the United States to the fifth session of the General Assembly of the United Nations.

The Senator from Idaho [Mr. TAYLOR] is absent because of illness in his family.

The Senator from Arkansas [Mr. McCLELLAN] and the Senator from Kentucky [Mr. WITHERS] are absent on official business.

The Senator from Illinois [Mr. LUCAS] is paired on this vote with the Senator from Nevada [Mr. MALONE]. If present and voting, the Senator from Illinois would vote "nay," and the Senator from Nevada would vote "yea."

The Senator from Pennsylvania [Mr. MYERS] is paired on this vote with the Senator from New Hampshire [Mr. TOBEY]. If present and voting, the Senator from Pennsylvania would vote "nay," and the Senator from New Hampshire would vote "yea."

If present and voting, the Senator from Georgia [Mr. GEORGE], the Senator from Arizona [Mr. HAYDEN], the Senator from Arkansas [Mr. McCLELLAN], the Senator from Connecticut [Mr. McMAHON], the Senator from Maryland [Mr. TYDINGS], and the Senator from Kentucky [Mr. WITHERS] would vote "nay."

Mr. WHERRY. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from New Hampshire [Mr. TOBEY], and the Senator from Michigan [Mr. VANDENBERG] are absent by leave of the Senate.

The Senator from Vermont [Mr. FLANDERS] is absent by leave of the Senate on official business as a temporary alternate Governor of the World Bank.

The Senator from Maine [Mr. BREWSTER] and the Senator from New Jersey [Mr. SMITH] are absent by leave of the Senate as representatives of the American group to the Interparliamentary Union.

The Senator from New Hampshire [Mr. BRIDGES] is absent because of illness.

The junior Senator from Ohio [Mr. ERICKER], the senior Senator from Indiana [Mr. CAPEHART], the junior Senator from Indiana [Mr. JENNER], the Senator from California [Mr. KNOWLAND], the Senator from Wisconsin [Mr. McCARTHY], and the senior Senator from Ohio [Mr. TAFT] are necessarily absent.

The Senator from Massachusetts [Mr. LODGE] is absent by leave of the Senate on official business as a representative of the United States to the fifth session of the General Assembly of the United Nations.

The Senator from South Dakota [Mr. GURNEY] and the Senator from Nevada [Mr. MALONE] are detained on official business.

The Senator from Colorado [Mr. MILLIKIN] is detained on official committee business at a meeting of the conferees on the tax bill.

The Senator from Nevada [Mr. MALONE] is paired with the Senator from Illinois [Mr. LUCAS]. If present and voting, the Senator from Nevada would vote "yea" and the Senator from Illinois would vote "nay."

The Senator from New Hampshire [Mr. TOBEY] is paired with the Senator from Pennsylvania [Mr. MYERS]. If present and voting, the Senator from New Hampshire would vote "yea" and the Senator from Pennsylvania would vote "nay."

The result was announced—yeas 25, nays 36, as follows:

YEAS—25

Butler	Hendrickson	Smith, Maine
Cain	Ives	Thye
Cordon	Kem	Watkins
Darby	Langer	Wherry
Donnell	McCarran	Wiley
Dworshak	Martin	Williams
Ecton	Mundt	Young
Ferguson	Saltonstall	
Frear	Schoeppel	

NAYS—36

Anderson	Hoe	McFarland
Benton	Holland	McKellar
Chapman	Humphrey	Magnuson
Chavez	Hunt	Morse
Connally	Johnson, Colo.	Murray
Douglas	Johnson, Tex.	Neely
Ellender	Kefauver	O'Connor
Fulbright	Kerr	O'Mahoney
Gillette	Kilgore	Robertson
Graham	Leahy	Russell
Green	Lehman	Stennis
Hill	Long	Thomas, Okla.

NOT VOTING—35

Aiken	Hickenlooper	Myers
Brewster	Jenner	Pepper
Bricker	Johnston, S. C.	Smith, N. J.
Bridges	Knowland	Sparkman
Byrd	Lodge	Taft
Capehart	Lucas	Taylor
Downey	McCarthy	Thomas, Utah
Eastland	McClellan	Tobey
Flanders	McMahon	Tydings
George	Malone	Vandenberg
Gurney	Maybank	Withers
Hayden	Millikin	

So Mr. Ives' motion to postpone was rejected.

Mr. ANDERSON. Mr. President, I desire to offer a unanimous consent request. I offer the same unanimous consent request which the Senator from Arizona [Mr. McFARLAND] made previously with respect to voting on Wednesday, but to provide that when the hour for voting has arrived, if the Senator from New York desires additional time, he shall have as much time as he may desire. The thought was expressed that the Senator from New York may want additional time. I think he is entitled to have as much time as he desires. When we reach the hour of voting, if he feels he should discuss the matter for an hour, 2 hours, or 4 hours, he should be given the time he desires, and I am sure the Senate will be glad to listen to him.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. McFARLAND. I merely wish to say that the senior Senator from New Mexico had asked me to make the unanimous consent request. I told him that he could make it because I had made so many requests and had failed in them that I would be perfectly willing to have the Senator from New Mexico make the

request. I am willing to give the Senator from New York whatever time he needs, but I should like to see the time limited, so that we might have a vote on the question. I do not wish to adjourn without having voted on the nomination.

Mr. IVES. Do I understand the able Senator from Arizona to mean that he is not disagreeing to the unanimous consent request?

Mr. McFARLAND. How much time would the Senator from New York wish to take on Wednesday? I should like to have some limitation placed on the time.

Mr. IVES. The senior Senator from New York has stated his case clearly in that connection. He does not want to have any limitation put on any time he may desire to use.

Mr. McFARLAND. If the request is limited to the Senator from New York, I do not object.

Mr. MUNDT. Reserving the right to object, do I understand that the Senator from New York has a wide open limit so far as his time is concerned?

Mr. ANDERSON. As long as he wants to take. I believe the Senator from New York would understand that the time would be granted to him and that he could not yield to someone else to make a 4-hour speech or an 8-hour speech. He stated the reason he was objecting to the previous unanimous consent agreement was he may want to use a considerable amount of time. I am willing to give him all the time he may need.

Mr. MUNDT. Further reserving the right to object, although I am a Senator from South Dakota, I presume that I am not qualified to be designated as a Senator from the South, and I have no desire to take up the cudgels against cloture now that it appears the southern Senators have dropped them. So long as the Senator from New York is to be permitted to speak under an open-end agreement, I shall not object.

The VICE PRESIDENT. The Chair understands that the unanimous-consent request is based on the previous unanimous-consent request, which was that the Senate vote at 4 o'clock on Wednesday next. The Senator from New Mexico adopts that unanimous-consent request with the proviso that when the hour of 4 o'clock arrives, if the senior Senator from New York desires further time he may be given such additional time as he may request.

Mr. IVES. In all fairness, the senior Senator from New York appreciates the proposals. However, the senior Senator from New York wants to point out to the Senate that the suggestion is unacceptable. Does the Senate really want to adopt a proposal of that kind, and thereby set a precedent under which one Senator could conceivably conduct a one-man filibuster lasting all night? I doubt the wisdom of such a course. Realizing what the proposal is, Mr. President, I now move that the nomination be re-committed to the committee.

The VICE PRESIDENT. The question is whether there is objection to the unanimous-consent request proposed by the Senator from New Mexico [Mr. ANDERSON].

Mr. IVES. The Senator from New York objects for the reasons he has stated.

The VICE PRESIDENT. The senior Senator from New York did not say to prior to his making the motion to re-commit.

Mr. IVES. I object. I now move to recommit to the Committee on Foreign Relations for further consideration, the nomination of William O'Dwyer, of New York, to be Ambassador to Mexico. I ask for the yeas and nays.

The VICE PRESIDENT. The question is on agreeing to the motion of the senior Senator from New York to recommit the nomination to the Committee on Foreign Relations, on which he demands the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk called the roll.

Mr. McFARLAND. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Arizona [Mr. HAYDEN], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Illinois [Mr. LUCAS], the Senator from Connecticut [Mr. McMAHON], the Senator from Pennsylvania [Mr. MYERS] and the Senator from Maryland [Mr. TYDINGS] are absent on public business.

The Senator from California [Mr. DOWNEY] is necessarily absent.

The Senator from Mississippi [Mr. EASTLAND] is absent because of illness.

The Senator from Georgia [Mr. GEORGE] is necessarily absent, attending a meeting of the conference committee on the tax bill.

The Senator from South Carolina [Mr. MAYBANK], the Senator from Florida [Mr. PEPPER], and the Senator from Utah [Mr. THOMAS] are absent by leave of the Senate.

The Senator from Alabama [Mr. SPARKMAN] is absent by leave of the Senate on official business, as a representative of the United States to the fifth session of the General Assembly of the United Nations.

The Senator from Idaho [Mr. TAYLOR] is absent because of illness in his family.

The Senator from Kentucky [Mr. WITHERS] is absent on official business.

The Senator from Pennsylvania [Mr. MYERS] is paired on this vote with the Senator from New Hampshire [Mr. TOBEY]. If present and voting, the Senator from Pennsylvania would vote "nay," and the Senator from New Hampshire would vote "yea."

If present and voting, the Senator from Georgia [Mr. GEORGE], the Senator from Arizona [Mr. HAYDEN], the Senator from Illinois [Mr. LUCAS], the Senator from Connecticut [Mr. McMAHON], and the Senator from Kentucky [Mr. WITHERS] would vote "nay."

Mr. WHERRY. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from New Hampshire [Mr. TOBEY], and the Senator from Michigan [Mr. VANDENBERG] are absent by leave of the Senate.

The Senator from Vermont [Mr. FLANDERS] is absent by leave of the Senate on official business as a temporary alternate Governor of the World Bank.

The Senator from Maine [Mr. BREWSTER] and the Senator from New Jersey [Mr. SMITH] are absent by leave of the

Senate as representatives of the American group to the Interparliamentary Union.

The Senator from New Hampshire [Mr. BRIDGES] is absent because of illness.

The junior Senator from Ohio [Mr. BRICKER], the senior Senator from Indiana [Mr. CAPEHART], the junior Senator from Indiana [Mr. JENNER], the Senator from California [Mr. KNOWLAND], the Senator from Wisconsin [Mr. McCARTHY], and the senior Senator from Ohio [Mr. TAFT] are necessarily absent.

The Senator from Massachusetts [Mr. LODGE] is absent by leave of the Senate on official business as a representative of the United States to the fifth session of the General Assembly of the United Nations.

The Senator from Colorado [Mr. MILLIKIN] is detained on official committee business at a meeting of the conferees on the tax bill.

The Senator from New Hampshire [Mr. TOBEY] is paired with the Senator from Pennsylvania [Mr. MYERS]. If present and voting, the Senator from New Hampshire would vote "yea" and the Senator from Pennsylvania would vote "nay."

The result was announced—yeas 24, nays 40, as follows:

YEAS—24

Butler	Gurney	Saltonstall
Cain	Hendrickson	Schoeppel
Cordon	Ives	Thye
Darby	Kem	Watkins
Donnell	Langer	Wherry
Dworschak	Malone	Wiley
Ecton	Martin	Williams
Ferguson	Mundt	Young

NAYS—40

Anderson	Holland	McKellar
Benton	Humphrey	Magnuson
Chapman	Hunt	Morse
Chavez	Johnson, Colo.	Murray
Connally	Johnson, Tex.	Neely
Douglas	Kefauver	O'Connor
Ellender	Kerr	O'Mahoney
Frear	Kilgore	Robertson
Fulbright	Leahy	Russell
Gillette	Lehman	Smith, Maine
Graham	Long	Stennis
Green	McCarran	Thomas, Okla.
Hill	McClellan	
Hoey	McFarland	

NOT VOTING—32

Alken	Hickenlooper	Pepper
Brewster	Jenner	Smith, N. J.
Bricker	Johnston, S. C.	Sparkman
Bridges	Knowland	Taft
Byrd	Lodge	Taylor
Capehart	Lucas	Thomas, Utah
Downey	McCarthy	Tobey
Eastland	McMahon	Tydings
Flanders	Maybank	Vandenberg
George	Millikin	Withers
Hayden	Myers	

So the motion of Mr. Ives to recommit was rejected.

The VICE PRESIDENT. The question is, Will the Senate advise and consent to the nomination of William O'Dwyer of New York to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Mexico?

Mr. IVES. Mr. President, I had hoped to vote in favor of the confirmation of the nomination of former Mayor O'Dwyer. As I stated several times in the course of this discussion, both on Friday and today, I have no ill feeling whatever toward him. I do indeed, however, doubt the wisdom of confirming his nomination at this time when so much of a dubious nature is still in question.

Therefore, Mr. President, I shall vote against confirmation of his nomination. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk called the roll.

Mr. McFARLAND. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Arizona [Mr. HAYDEN], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Illinois [Mr. LUCAS], the Senator from Connecticut [Mr. McMAHON], the Senator from Pennsylvania [Mr. MYERS], and the Senator from Maryland [Mr. TYDINGS] are absent on public business.

The Senator from California [Mr. DOWNEY] is necessarily absent.

The Senator from Mississippi [Mr. EASTLAND] is absent because of illness.

The Senator from Georgia [Mr. GEORGE] is necessarily absent, attending a meeting of the conference committee on the tax bill.

The Senator from South Carolina [Mr. MAYBANK], the Senator from Florida [Mr. PEPPER], and the Senator from Utah [Mr. THOMAS] are absent by leave of the Senate.

The Senator from Alabama [Mr. SPARKMAN] is absent by leave of the Senate on official business, as a representative of the United States to the fifth session of the General Assembly of the United Nations.

The Senator from Idaho [Mr. TAYLOR] is absent because of illness in his family.

The Senator from Kentucky [Mr. WITHERS] is absent on official business.

The Senator from Pennsylvania [Mr. MYERS] is paired on this vote with the Senator from New Hampshire [Mr. TOBEY]. If present and voting, the Senator from Pennsylvania would vote "yea," and the Senator from New Hampshire would vote "nay."

If present and voting, the Senator from Georgia [Mr. GEORGE], the Senator from Arizona [Mr. HAYDEN], the Senators from South Carolina [Mr. JOHNSTON and Mr. MAYBANK], the Senator from Illinois [Mr. LUCAS], the Senator from Connecticut [Mr. McMAHON], the Senator from Florida [Mr. PEPPER], the Senator from Alabama [Mr. SPARKMAN], the Senator from Maryland [Mr. TYDINGS], and the Senator from Kentucky [Mr. WITHERS] would vote "yea."

Mr. WHERRY. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from New Hampshire [Mr. TOBEY], and the Senator from Michigan [Mr. VANDENBERG] are absent by leave of the Senate.

The Senator from Vermont [Mr. FLANDERS] is absent by leave of the Senate on official business as a temporary alternate Governor of the World Bank.

The Senator from Maine [Mr. BREWSTER] and the Senator from New Jersey [Mr. SMITH] are absent by leave of the Senate as representatives of the American group to the Interparliamentary Union.

The Senator from New Hampshire [Mr. BRIDGES] is absent because of illness.

The junior Senator from Ohio [Mr. BRICKER], the senior Senator from Indiana [Mr. CAPEHART], the junior Senator from Indiana [Mr. JENNER], the Senator from California [Mr. KNOWLAND], the Senator from Wisconsin [Mr. Mc-

CARTHY], and the senior Senator from Ohio [Mr. TAFT] are necessarily absent.

The Senator from Massachusetts [Mr. LODGE] is absent by leave of the Senate on official business as a representative of the United States to the fifth session of the General Assembly of the United Nations.

The Senator from Colorado [Mr. MILLIKIN] is detained on official committee business at a meeting of the conferees on the tax bill.

The Senator from New Hampshire [Mr. TOBEY] is paired with the Senator from Pennsylvania [Mr. MYERS]. If present and voting, the Senator from New Hampshire would vote "nay" and the Senator from Pennsylvania would vote "yea."

The result was—yeas 42, nays 22, as follows:

YEAS—42

Anderson	Holland	McKellar
Benton	Humphrey	Magnuson
Chapman	Hunt	Morse
Chavez	Johnson, Colo.	Murray
Connally	Johnson, Tex.	Neely
Douglas	Kefauver	O'Connor
Ellender	Kerr	O'Mahoney
Frear	Kilgore	Robertson
Fulbright	Leahy	Russell
Gillette	Lehman	Saltonstall
Graham	Long	Smith, Maine
Green	McCarran	Stennis
Hill	McClellan	Thomas, Okla.
Hoey	McFarland	Wiley

NAYS—22

Butler	Gurney	Schoeppel
Cain	Hendrickson	Thye
Cordon	Ives	Watkins
Darby	Kem	Wherry
Donnell	Langer	Williams
Dworschak	Malone	Young
Ecton	Martin	
Ferguson	Mundt	

NOT VOTING—32

Alken	Hickenlooper	Pepper
Brewster	Jenner	Smith, N. J.
Bricker	Johnston, S. C.	Sparkman
Bridges	Knowland	Taft
Byrd	Lodge	Taylor
Capehart	Lucas	Thomas, Utah
Downey	McCarthy	Tobey
Eastland	McMahon	Tydings
Flanders	Maybank	Vandenberg
George	Millikin	Withers
Hayden	Myers	

So the nomination was confirmed. Mr. McFARLAND. Mr. President, may we complete the calendar?

The VICE PRESIDENT. The Chair was about to instruct the Secretary to state the next nomination on the calendar.

Mr. DONNELL. Mr. President, as to the previous nomination, there was so much noise I could not hear whether there was any mention of notifying the President.

The VICE PRESIDENT. No mention was made of that.

Mr. DONNELL. Very well. I would have objected if there had been such a request.

AIR FORCE OF THE UNITED STATES

Mr. McFARLAND. Mr. President, I ask that the nominations in the Air Force be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations in the Air Force of the United States, the United States Air Force Reserve, and the United States Air Force, are confirmed en bloc.

Mr. McFARLAND. Does that complete the calendar?

The VICE PRESIDENT. That completes the Executive Calendar.

Mr. McFARLAND. I now move that the Senate proceed to the consideration of legislative business.

Mr. WHERRY. Mr. President, before the motion is put, I should like to make a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. WHERRY. There are other nominations on the calendar. Were they passed over?

The VICE PRESIDENT. The Chair is advised that the other nominations were Air Force nominations.

Mr. WHERRY. No; I do not refer to those.

The VICE PRESIDENT. The nominations of Morris L. Ernst and Emory Byington Smith were passed over.

Mr. WHERRY. I thank the Chair.

LEGISLATIVE SESSION

Mr. McFARLAND. Mr. President, I renew my motion that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

DISCHARGE OF FIDUCIARY OBLIGATION TO IRAN

Mr. McFARLAND. Mr. President, I move that the Senate proceed to the consideration of H. R. 5731.

The VICE PRESIDENT. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (H. R. 5731) to discharge a fiduciary obligation to Iran.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Arizona.

The motion was agreed to; and the Senate proceeded to consider the bill.

TRANSFER OF FORT DES MOINES, IOWA, TO STATE OF IOWA—CONFERENCE REPORT

Mr. HOLLAND. Mr. President, I submit a conference report on House bill 4569, and ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The report will be read for the information of the Senate.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4569) authorizing the transfer of Fort Des Moines, Iowa, to the State of Iowa, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 4, and 5; and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: Page 1, lines 6 and 7, in lieu of the language stricken out by the Senate insert the following: "without consideration save as contained in this act"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: Page 1, line 9, strike out the language inserted by the Senate and insert in lieu there-

of the following: "Provided, That if conveyance hereunder is made to the State of Iowa, the instrument of conveyance shall provide that said State shall not alienate title to said property or any part thereof, but shall keep it intact and use it for public purposes, and that if the United States needs the property for military purposes, it shall revert to the United States with payment to the State of the reasonable value at that time for any improvements thereon made by the State"; and the Senate agree to the same.

SPESSARD L. HOLLAND,
VIRGIL M. CHAPMAN,
HARRY P. CAIN,

Managers on the Part of the Senate.

WILL M. WHITTINGTON,
CLIFFORD DAVIS,
GEORGE A. DONDERO,
PAUL CUNNINGHAM,

Managers on the Part of the House.

Mr. HOLLAND. Mr. President, I ask for the present consideration of the report.

There being no objection, the Senate proceeded to consider the report.

Mr. HOLLAND obtained the floor.

Mr. FULBRIGHT. Mr. President, will the Senator yield.

Mr. HOLLAND. Since the Presiding Officer has recognized me, I should prefer not to yield, although I am perfectly willing for the Senator from Arkansas to be first recognized, and then to ask him to yield to enable me to discuss the conference report on H. R. 4569. It is for that purpose that the Senator from Florida rises.

Mr. FULBRIGHT. I shall not interrupt the Senator at this time.

Mr. HOLLAND. Mr. President, I should like to make a statement with respect to the conference report.

Mr. WHERRY. Mr. President—
The PRESIDING OFFICER (Mr. HOEY in the chair). Does the Senator from Florida yield to the Senator from Nebraska?

Mr. HOLLAND. I yield.

Mr. WHERRY. Will the distinguished Senator from Florida give us an explanation of the report? Does it comply with the amendment offered by the Senator from Oregon regarding the transfer?

Mr. HOLLAND. Mr. President, in answering the Senator from Nebraska, I would say that two of the amendments adopted on the motion of the Senator from Oregon are retained in the conference report, and that one, which I think the Senator from Oregon considered as his principal amendment, is not retained. I hope that the Senator from Nebraska will give attention to this matter. The Senator from Oregon has been apprised of the whole situation, and the conferees agreed not to bring up the matter until he was on the floor.

Mr. President, I hope that the Members of the Senate will listen just a couple of minutes. This is the conference report on the Fort Des Moines bill.

On behalf of the Senate conferees on the bill H. R. 4569, I should like to make the following statement with respect to the action agreed upon and recommended in the conference report.

H. R. 4569 as passed by the House authorizes and directs the transfer to the State of Iowa of about 640 acres of land, with improvements thereon, known as Fort Des Moines Army Post, now owned

by the Government, reserving eight buildings for Army use. This property has been declared surplus and the State of Iowa, which formerly purchased the property with funds raised by public subscription and donated it to the Government about the year 1901 as a site for an Army post, now desires to have it returned for use by its National Guard and for other public purposes.

The Senate amended the bill to make the transfer of the property discretionary, and also on a subsequent request of the Army excepted three additional buildings for its use, and also at the request of the Housing and Home Finance Agency required the continued use of certain buildings now occupied by veterans as temporary housing quarters. The House conferees agreed to these amendments, numbered 1, 4, and 5.

With respect to amendment No. 3, which was the amendment of the Senator from Oregon which required that compensation be paid by the State of Iowa in the amount of 50 percent of the appraised value of the property, the Senate amended the bill to provide for payment by the State of consideration in the amount of one-half of the appraised value of the property with the improvements thereon. The conferees agreed that appropriate consideration should be paid to the United States for the transfer of this property, but concluded that there were several elements involved in the proposed transfer which, it was agreed, would constitute appropriate and adequate compensation in this case. These elements are as follows—and I especially ask the Senate to follow this statement. In other words, the conferees were unanimously of the feeling that there were five matters in connection with this proposed transfer which did operate to give substantial consideration to the United States Government, and they will be listed by me as follows:

First. The State purchased this property originally, about 1901, with funds made available by Iowa citizens, at a cost of \$64,000, and donated it to the United States for use as an army post, which use has now been discontinued. In other words, the money for the purchase, \$64,000, was Iowa's money and the consideration was the establishment of an army post there, which has been established, and has operated there for a good many years, is not operated there now, and under the bill would be discontinued, of course. The conferees felt that that was substantial consideration.

Second. The bill was changed in conference to provide—and that is one of the amendments already reported as coming from the conference—to the effect that the State must devote the property to public use only, and will keep the property intact, that is, without alienation of any portions of it, and return it to the United States upon request of the United States upon payment of the fair value of any improvements added by the State from this time forth in the event the property is needed again for military purposes.

Third. The Army reserved the right to use 11 building units for its purposes. Eight were included in the House bill.

Three additional ones were added by one of the amendments proposed by the Senator from Oregon.

Fourth. The units now occupied by veterans as temporary housing will be maintained. Those units comprise a considerable part of the barracks that were used in the Second World War, as the Senator from Florida understands, by the WACS. They were reconstructed into apartments. They are now used for veterans' apartments, for veterans and their families, and they are used on the basis of rent which does not take care of any cost or investment at all, but simply for the cost of operation. It was felt that there was a real consideration to the United States in the agreement for the State to take title under this act to continue this operation now under way, under the local housing authority in Des Moines.

Fifth. The State will furnish, and is required by the bill to furnish, all necessary sewerage facilities for the 11 building units just mentioned, without cost, and must furnish electricity and water at the prevailing rate in the locality, or at cost, whichever is lower, so long as the buildings are used by the United States for military purposes.

Accordingly, the conferees agreed to change the language of the amendment numbered 3 to provide that if the land is conveyed to the State under the terms of this act the conveyance shall provide that the State shall not alienate title to the property but shall use it for public purposes and shall keep it intact, and that if it is needed for military purposes it shall revert to the United States. In the opinion of the conferees, this change, together with the elements mentioned above, will accomplish the purposes of the Senate amendment.

Mr. President, I should say that the conferees on behalf of the Senate comprise the following: The Senator from Kentucky [Mr. CHAPMAN], the Senator from Washington [Mr. CAIN], and the junior Senator from Florida. The conferees on the part of the House comprise the following: The gentleman from Mississippi [Mr. WHITTINGTON], the gentleman from Tennessee [Mr. DAVIS], the gentleman from Michigan [Mr. DONDERO], and the gentleman from Iowa [Mr. CUNNINGHAM]. All those conferees named have agreed to the report and have signed the conference report. There was a fifth conferee on the part of the House, Mr. LARCADE, who, unfortunately, was not in Washington, and therefore did not attend the conference and does not join in signing the conference report.

Mr. President, in conclusion, to summarize, all the Senate amendments remain in the bill except the one with reference to compensation. With reference to the matter of compensation, certain changes were made in the bill, and certain factors were taken into consideration, which the conferees felt were not taken into consideration by the Senate amendment and which made the transaction a sounder one for the United States. The changes made in the bill were to require that the property would revert whenever asked for, for military use, with the requirement that only the

reasonable value of any improvements added by the State of Iowa must be paid, and the requirement that only public use should be made of the property, and the requirement that there should be no alienation of any portions of the property.

The other elements which, in the opinion of the conference committee, constituted substantial consideration to the United States Government have already been stated, and I shall not repeat them. I hope that the Senate will adopt the conference report.

Mr. CAIN. Mr. President, the junior Senator from Washington should like to join in support of the position which has just been offered by the Senator from Florida [Mr. HOLLAND]. In addition, I should like to reflect very briefly on the historical background of the legislation by saying that H. R. 4569 was passed by the House on August 1, 1949, and was referred to the Committee on Public Works of the Senate on the next day, August 2, 1949. It was considered by the Subcommittee on Buildings and Grounds, of which the Senator from Florida [Mr. HOLLAND] is chairman, on which the junior Senator from Washington is the ranking minority member. That subcommittee went into this bill most carefully, and reported it to the Senate on August 19, 1949. On the call of the calendar shortly after that date it was objected to by the Senator from Oregon [Mr. MORSE]. This objection, sir, was continued until just a few days ago, when the bill was passed by the Senate with amendments proposed by the Senator from Oregon. I want to point out that from the time the bill was reported to the Senate to the time when it was finally taken up, a period of more than a full year had elapsed, during which time any Senator had ample opportunity, it seems to the Senator from Washington, to work out any fair and equitable arrangement concerning the disposal of this property.

The conferees, Mr. President, considered thoroughly all the merits of this proposal and arrived at a compromise which we felt was fair to all parties concerned—to the citizens and officials of the State of Iowa, to the Federal Government and to the principles which the Senator from Oregon has endeavored so well to uphold in the Senate. In the first place, we have provided that the transfer will be entirely discretionary on the part of the United States. Therefore, if any rapid change in the military situation should so require, the Federal representatives are free to defer all action under this bill, without any strings attached, for so long as they think conditions warrant.

In the second place, we feel that we have gone the full reasonable extent in upholding the principles of the Senator from Oregon in requiring adequate consideration under the particular circumstances relating to this property.

Mr. President, a statement I have prepared is at further length, and I ask unanimous consent that it may be made a part of my remarks at this point in the body of the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

MEMORANDUM ON H. R. 4569, TRANSFER OF FORT DES MOINES, IOWA, PROPERTY

H. R. 4569 was passed by the House August 1, 1949, and was referred to the Committee on Public Works in the Senate August 2. It was considered by the Subcommittee on Buildings and Grounds, of which the Senator from Florida is chairman, and the junior Senator from Washington is the ranking minority member. We went into this bill carefully and reported it to the Senate on August 19, 1949. On the call of the calendar shortly after that date it was objected to by the Senator from Oregon. This objection was continued until just a few days ago when the bill was passed by the Senate with amendments proposed by the Senator from Oregon. I want to point out that from the time the bill was reported to the Senate to the time it was finally taken up, a period of 1 year had elapsed, during which time any Senator had ample opportunity to work out any fair and equitable arrangements concerning the disposal of this property.

The conferees considered thoroughly all the merits of this proposal and arrived at a compromise which we feel is fair to all parties concerned—the citizens and officials of the State of Iowa, the Federal Government, and the principles which the Senator from Oregon is endeavoring to uphold in the Senate. In the first place, we have provided that the transfer will be entirely discretionary on the part of the United States. So, if any rapid change in the military situation should so require, the Federal representatives are free to defer all action under this bill, without any strings attached, for so long as they think conditions warrant.

In the second place, we feel that we have gone the full reasonable extent in upholding the principles of the Senator from Oregon in requiring adequate consideration under the particular circumstances relating to this property.

The Army post at Fort Des Moines, Iowa, was established in 1901 as a cavalry post. A cavalry post was needed in this area and this locality was considered to be a strategic location for such a post at that time. The governor appointed a committee of citizens who raised the money and purchased a total of 640 acres of land and then deeded the land directly to the Federal Government for use as a cavalry post. It was abandoned as a cavalry post about 1940.

During World War I the post was used as a small training center for officers, but it was not large enough for a major center, and the Army had established a cantonment at Camp Dodge, about 20 miles away, which was some 20 times as large as this small piece of ground at Fort Des Moines.

During World War II it was used as a WAC training center, and a number of temporary buildings were erected to house the Wacs.

At the close of the war, the property was abandoned by the Army, and it was declared surplus to the War Assets Administration on June 30, 1947, for disposal. Subsequently, several buildings have been returned to the Army and the Air Force for use by the Organized Reserve. Also the temporary barracks constructed for the Wacs have been remodeled in cooperation with the Housing and Home Finance Agency and the city of Des Moines to provide veterans' housing. There are more than 900 veterans' families living in these barracks at the present time.

When this property was declared surplus, it became evident that it was of no value to any one Federal agency, and certain parts of it were put in public use to serve both the remaining interests and the local interests of veterans' families. I am told that the Federal officials began discussions with the State and local officials regarding the

eventual disposal of the property and suggested that the State might take it over for public use, since the State would apparently have the major interest in such public use. Pursuing this suggestion, the State senate passed a resolution in April 1949, calling attention to the fact that the Fort Des Moines property was originally given to the Federal Government by the State of Iowa for use as a cavalry post, that the purpose of said grant has been abrogated, and requested the return of the property to the State in order that it could be used to full advantage for public purposes. As ranking minority member of the Committee on Public Works, I feel that this request of the State is fair and reasonable, and I think that the committee has done a good job in arriving at the arrangements proposed in the conference report.

On the basis of conditions as they existed before the Korean situation developed, I feel that the return of this property to the State was not only fair and just, but that under the peculiar circumstances attaching to it, there was a moral obligation to so return the property. On the basis of conditions as they exist today, I think that we still have this moral obligation to carry out, provided it does not interfere with our national military requirements. As far as I can find out, our military authorities have no intention whatsoever of using this property again. A check with the Army just the other day revealed that they do not intend to reactivate this installation and they still stand by their original recommendation approving the return of the property to the State. However, in case they should change their minds, we have covered that contingency clearly and expressly in the amendment agreed upon by the conferees. The return of the property is purely discretionary on the part of the United States and can be withheld so long as they see fit, until they are sure beyond any shadow of a doubt that they will not need it for military purposes. In addition, we have also provided that if the property is returned to the State and if subsequently it should be needed for military purposes, it will then revert back to the United States; and the Federal Government is therefore guaranteed any military use that may develop in the future for this property.

Mr. MORSE. I shall take some of the time of the Senate to review the policy of our Government in the disposal of surplus property, in relation to what I believe to be this most unfortunate report by the conferees.

Mr. President, some 3½ years ago the Armed Services Committee of the Senate appointed a subcommittee to go into the whole question of the disposal of surplus property, particularly that property which related to the military. That subcommittee consisted of the Senator from Virginia [Mr. BYRD] as chairman, the Senator from Massachusetts [Mr. SALTONSTALL], and the junior Senator from Oregon. After very careful consideration the committee came forward with a formula for the charges to be made for surplus property which has since become known as the Morse formula. It is a formula which provides that when Federal property is to be disposed of for a public use, to some substantial local government unit, State or county or municipal or other governmental unit, that local government body shall pay 50 percent of the fair appraised market value of the property. Where the property is to be used for nonpublic use the charge shall be 100 percent of the value of the property. It has taken some time, Mr. President, to get that principle rather thoroughly established

within the Senate in the disposal of Federal property. There is more than one Senator in this body who has in good faith, in keeping with the policy of that formula, included it in legislation he has proposed for the transfer of surplus property to some local government unit in his State. That formula has been applied consistently by the junior Senator from Oregon and, may I say, not without some considerable pressure being brought to bear upon him time and time again by some Senator or Senators who wanted him to make an exception to the rule.

However, there developed more or less of an understanding among us that the junior Senator from Oregon would fight this battle on the floor of the Senate, and he has fought it for approximately 3½ years now. Irrespective of the personal reference, I shall let the record speak for itself, Mr. President.

A compilation is being prepared as to how much money the formula has saved the taxpayers of the United States and it will show that the junior Senator from Oregon, in his fight for the application of the Morse formula in connection with the disposal of surplus property, has saved several hundred millions of dollars for the taxpayers of the United States.

Mr. President, I hear a great deal of talk about economy. I wish to say that this particular formula is one example of how real economy has been brought about. Believe me, it was needed, because, without personal reference, I now state that as recently as 3½ years ago there were too many Members of the Congress who were making a political grab bag out of the reservoirs of surplus property belonging to the Government of the United States. I wish to say that it is my opinion that in some instances it was shameful that an attempt would be made to get for nothing for a city or county or a State, very valuable pieces of surplus property, by means of the introduction of bills and subsequent log-rolling or steam-rolling of those grab-bag bills through the Congress of the United States. The situation had become so serious, so far as the disposal of military property was concerned, that those of us on the Armed Services Committee felt that something should be done about it. The Byrd report recommending the Morse formula was adopted unanimously by the Armed Services Committee. We have consistently applied it with respect to military property. I took the position that it was not fair or equitable or right to apply it to military property, and then let Senators and Representatives, in respect to other pieces of property within the jurisdiction of other committees come to the floor of their respective Houses and secure the passage of special legislation for the benefit of themselves or their States, in the case of such property. It has not been at all easy, nor has it been pleasant, either, Mr. President, to take the position that the junior Senator from Oregon has taken for 3½ years in regard to applying this formula.

This is the first instance within my knowledge that a conference committee has not stood adamant on the Morse formula, without change. Let me tell the Senate that the conduct of the con-

ference committee in this particular leaves me no other course of action now but to say that in the future, unless the legislation itself which comes to the Senate from the House of Representatives contains the Morse formula, I shall object, without exception, to the consideration of such bills during the calling of the unanimous-consent calendar, because I do not intend to be euchred or juggled or jockeyed out of the application, without exception, of this formula, insofar as my rights in connection with the unanimous-consent calendar are concerned.

If I am going to have to resort to strategy in order to apply the Morse formula, I now serve notice that, come the next session of Congress, either that formula will be contained in every measure of this sort when it comes to the Senate from the House of Representatives, and shall also be in it when it is adopted or passed by the Senate, or that measure will never get through the Senate during the consideration of the unanimous-consent calendar.

Mr. President, in my judgment the bill now before us reeks with Iowa politics. The Senator from Iowa has consistently fought for this bill. Until just a few days ago he was not willing to consider any modification at all in respect to the bill, in relation to the Morse formula. I think it should not pass unnoted that the Representative from Des Moines, Iowa, the locality which will receive the benefit coming from this bill, was one of the conferees on the bill. I have no doubt that a bill such as this one will be appealing to the voters in that locality; but I wish to say that as a Member of this body, I propose to do what I can to protect the financial interest of all the taxpayers of the United States. I believe that the people of Des Moines, Iowa, ought also be required to pay, under the Morse formula, 50 percent of the appraised fair market value of this property.

Mr. GILLETTE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. McCLELLAN in the chair). Does the Senator from Oregon yield to the Senator from Iowa?

Mr. MORSE. I yield.

Mr. GILLETTE. Mr. President, just a few moments ago the Senator from Oregon referred to the Senator from Iowa, without designating which Senator.

Mr. MORSE. I refer to the senior Senator from Iowa.

Mr. GILLETTE. I thank the Senator.

Mr. MORSE. Mr. President, a very important subcommittee of the Senate Armed Services Committee has been appointed. That subcommittee is known as the Military Preparedness Subcommittee, and sometimes is referred to as the "military watchdog committee." Personally, speaking only for myself, I think the subcommittee should be referred to as the "Johnson watchdog committee," just as the old war investigating committee in World War II was referred to as the "Truman committee," because this subcommittee is the successor of the Truman committee. Its chairman is the very able junior Senator from Texas [Mr. JOHNSON]. This subcom-

mittee has been busily engaged in a preliminary investigation of the surplus property problem. We have issued one report. I believe other reports on this subject matter will follow it. That report already has produced remarkable results in connection with the entire surplus property problem. The President of the United States has issued instructions calling for its recommendations to be put into effect.

Speaking again for myself, and also as a member of the subcommittee, I wish to say today, on the floor of the Senate, that in my judgment the United States would be better prepared for the great crisis now confronting us if so many mistakes in judgment had not been made in connection with the disposal of surplus property since World War II. Since the end of that war, we have disposed of millions upon millions of dollars' worth of surplus property which should not have been disposed of. As was brought out recently in connection with the examination of one witness before our subcommittee—

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. MORSE. I yield.

Mr. DOUGLAS. Does the situation in respect to surplus property following World War II remind the distinguished Senator from Oregon of the phrase—

Where the carcasses lie, there the vultures love to feed.

Mr. MORSE. That is a very apt description of what happened, Mr. President.

One witness before our committee, Mr. President, even went so far in his testimony, in answer to questions put to him by the junior Senator from Oregon, as to point out that at the outbreak of the Korean war, there were a considerable number of Sherman tanks in the Philippine Islands, Sherman tanks in perfectly good operating conditions, except for the fact that their armament had been removed. Otherwise, they were in good fighting condition, some of them practically new tanks, which could have been moved quickly into Korea if they had not been sold into private ownership as surplus property. I cite that as only one of scores of examples which could be cited here this afternoon in regard to the mismanagement of the entire surplus property matter.

A few days ago at a public hearing, the now Secretary of the Army, Mr. Pace, was before the committee. Questions were put to him in regard to the so-called surplus military camps. Let us keep in mind the fact that Fort Des Moines is a camp which has not been cannibalized. Fort Des Moines is an exceedingly valuable military camp which could be put into operation and readiness in a matter of a few hours. Fort Des Moines is one of the few remaining surplus military encampments in the United States which thus far have not been seized upon by the politicians, by means of various bills providing for the disposal of surplus property. Fort Des Moines, in the opinion of the junior Senator from Oregon, is a very valuable piece of military property, the disposal of which, particularly by means of this conference report, should not be sanctioned.

Under examination before the committee, the Secretary of the Army testified that if we have to proceed with the increase of our military manpower, as in all probability we shall have to do, camps such as Fort Des Moines will be sorely needed.

The Secretary of the Army also testified in regard to the military camp situation if we go forward with universal military training. The junior Senator from Oregon happens to be one of the four members of the Armed Services Committee of the Senate who voted against any postponement of universal military training. I think it is most unfortunate that we did not proceed to provide for the giving of that basic training to all the young men in the United States. That basic training is needed not only for military purposes but also for civilian-defense purposes, because if we get into a war with Russia or with a combination of her satellites, or with both, we shall need to have every young man in this country trained in the basic military training which would go along with universal military training. Also, Mr. President, we need to keep in mind the fact that our present Selective Service Act would be operating more democratically than it is now operating if we had universal military training. That is no criticism of the great director of the Selective Service Act, General Hershey, either.

But General Hershey does testify before the Armed Services Committee that, for some reason, the number of disqualifications in the present operation of the Selective Service Act is extremely high—in some regions and localities, as high as 70 percent. I am satisfied that that would not be true if our young men of draft age had the basic training of a UMT program. If they had that basic training then, Mr. President, you would know what their special capabilities were, you would know where they could fit into the operation of the Selective Service Act, and we would not have to be eliminating them on any of the many grounds on which they are presently being eliminated.

In fact, Mr. President, I think the situation is so very serious that all young men, even including those with some physical handicaps, but not handicaps so great that they cannot be trained to take some very important part in the operation of our military establishment, in the event of a crisis, ought to receive UMT training. If that is done, we are going to need not only all the camps which are presently available, but also many other camps. We are going to need to reactivate some of the camps which we have already allowed to slip through our fingers in surplus property disposals. We are going to have to exercise our rights under the recapture clause which was retained in those relatively few instances in which recapture clauses were retained. And so, in questioning the Secretary of the Army recently I asked him whether he would give his personal attention to this particular camp of Fort Des Moines because we had on file a letter from his predecessor which did ask for certain additional exemptions or exceptions to certain buildings in that camp. The request of the

military for the retention of some additional buildings in Fort Des Moines shows, of course, that the military establishment is already somewhat concerned about the shortage of military facilities to meet existing military demands. The Secretary of the Army assured me he would give his personal attention to the Fort Des Moines camp problem.

As I recently reported to the Senate, when this matter was before the Senate, this particular camp is now before the Munitions Board for screening, because the Munitions Board has been apprised of the seriousness of the camp shortage which faces this country. Recently the Chairman of the Senate Preparedness Committee, the Senator from Texas [Mr. JOHNSON], over his signature sent a letter to the military establishment raising certain questions in regard to available military encampments which have previously been declared surplus, and asking the military establishment to advise the committee as to any plan the military is considering in regard to those particular camps. It is the intention—and the chairman of the committee is on the floor, and if I do not speak accurately, on this point, now, I want him to correct me—it is my understanding that it is the intention of our subcommittee, through its special staff, to make a thorough investigation into all the available camp sites which the Government still has within its possession by title.

Thus I say that this is not a good time to be giving encouragement to the disposal of Fort Des Moines. It is a most unfortunate time in my judgment to sanction disposing of it on the recommendations of the conference committee, to which I shall direct my attention in a moment.

But the first and main point that I have sought to make—and I now summarize it, Mr. President—is that we are dealing here in this report with a policy of the Senate which has become pretty well crystallized and established in recent years, in regard to the disposal of surplus property. A good many Members of this body have cooperated in good faith with the Morse formula. As I said recently, many of them have said to me, "Well, of course, I should like to get this particular piece of property for a city in my State, or for a county, or for the State itself, without charge, but if you will be consistent and insist upon an application uniformly of the Morse formula I cannot object to the soundness of the principle for which you are standing, and I will go along."

I do not mean there has been unanimity of view. There are still some other cases pending before this body, almost identical with the Fort Des Moines situation in which the sponsors of those pieces of legislation have not been willing to accede to the formula. I think this conference report is going to give them great encouragement. I shall not be at all surprised now to see a new onrush of bills coming before the Senate for the disposal of surplus property, not only camps, but also other pieces of surplus property, now that this exception represents a break through the barrier which some of us have tried to hold firm for some 3½ years.

Mr. GILLETTE. Mr. President, will the Senator yield for a question?

Mr. MORSE. I yield.

Mr. GILLETTE. I have been listening to the Senator with tremendous interest, of course, because this particular piece of property is located in the State which I have the honor to represent, in part at least. The Senator has referred to the Morse formula from time to time as something which had its inception about 3½ years ago, at a time when, through a chain of events—events over which the present junior Senator from Iowa had no control, he not having been a Member of this body at the time. Does the Senator contend that this formula, however well conceived, however sound in principle, is binding on the members of this conference committee?

Mr. MORSE. Not at all. The majority of the Members of this body can overthrow the Morse formula any time they want to. But that is not going to stop the junior Senator from Oregon from making the best case for his formula that he can, and it is not going to stop him in the future from being much more careful in regard to entering into any agreements concerning amendments to bills on the consent calendar; that, I assure the Senator from Iowa.

Mr. GILLETTE. Mr. President, will the Senator from Oregon yield for one further question?

Mr. MORSE. I yield.

Mr. GILLETTE. Of course, I can recognize, as anyone can recognize, the right of the Senator from Oregon to draw his own conclusions and to form his own judgments, which are almost universally sound. But I again would ask, is the Senator entirely within his rights in criticizing other Members of the Senate for not following the formula to which he himself has subscribed?

Mr. MORSE. The Senator from Oregon will reserve his right, within the rules of the Senate, to criticize other Members of the Senate whenever he thinks the criticism is due. The Senator from Oregon, I may assure the Senator from Iowa, will be very careful to stay within the rules of the Senate, but I think he will be able to stay within the rules of the Senate and yet make his meaning very clear.

Mr. GILLETTE. Mr. President, I am sure the Senator from Iowa did not intend to say, and did not attempt to say or to suggest that the Senator from Oregon did not have a right to criticize. The only objection which the Senator from Iowa was making was with reference to the criticism of a conference committee for not following a program which does not have the force and effect of law, but which is a matter of sound judgment, perhaps, on the part of the Senator from Oregon.

Again I ask the Senator this question: He does not contend, does he, that the formula to which he has referred has the force and effect of law, and therefore is binding on any other Senator in the exercise of his sound judgment?

Mr. MORSE. The Senator from Oregon has already answered the question, and he assures the Senator from Iowa that he recognizes that the Senate by a majority vote can at any time overturn

the Morse formula in respect to any bill. The Senator from Oregon intends to discuss the unwisdom of that procedure.

Let us go now to the conference report itself. It has modified the formula, which has been applied in a great many other cases, by seeking to give to the people of Des Moines, or the people of Iowa, the credit for some \$64,000 which they paid for a piece of land back in 1901 and which they donated to the Federal Government for a camp site. It has been pretty well established in our application of this formula that the fact that some county, State, or city, many years ago, has given a piece of property to the Federal Government, creates no equity in that county, State, or city to get that property back for nothing, or to get credit for what it paid for the property in the first instance—and why? Because we know that a gift of that type brings to the locality in which the particular Federal operation is located great sources of revenue over the years. And, believe me, Mr. President, Fort Des Moines, operating outside Des Moines, Iowa, has been a source of tremendous income to the citizens of Des Moines for a good many years. I have the testimony of outstanding citizens of Des Moines, themselves, to that effect. In fact, the soundness of my position in this matter has been recognized in the communications I have received from within the State of Iowa and from Des Moines, Iowa, supporting the stand which I have made on this matter.

Mr. President, I do not make the charges. I report what is in the correspondence. In some cases they say, "Do what you can to block this steal." Mr. President, I have in the files a letter from a very prominent attorney of Des Moines. It is of recent date. In it he tells me that if the Federal Government will put this property on the market it can get a very good price for it. This 640 acres of land on the outskirts of Des Moines is worth a lot of money. It belongs to all of our people. I say, why should we authorize giving it to Iowa, if it comes to pass that the property is not needed for Federal use. Right now I think it is clearly needed for Federal use. This property should not be transferred to Iowa for the amount of compensation called for by the conference report, when all the taxpayers of this country could receive 100 percent of the salable market value for the property. The United States Treasury and not the selfish interests of the people of Iowa should receive the value of this property.

Next, Mr. President, in regard to taking into account so-called equities as to the public use to which the property is to be put, the conferees contend that the value of sewage disposal provided by Des Moines, the water system, the use of the property for National Guard purposes, and so forth, should be subtracted from the payments to the Federal Government. Not at all. That is the reason for the 50 percent of fair market value formula. That is why it is not 100 percent. We have taken that into account when we applied the 50 percent formula. We do not think they ought to be given double credit for any equity that they may have in such public use. We already have given them that credit

when we gave them the 50 percent allowance.

Mr. President, this is also a case in which no reservation was made in the original grant. When reservations have been made we have given credit for those reservations, and the Senator from Kentucky, who is a member of the conference committee, knows whereof I speak. Only recently he had a bill before the Senate involving the transfer back to the State of Kentucky through the University of Kentucky to 4-H Club members of a piece of Kentucky property which had been given to the Federal Government with a specific reservation in it. It was given for the purpose of a veterans' hospital, with the understanding that if it was not used for that purpose it would revert. The Senator from Kentucky came to me and asked me to approve the transfer when the bill reached the unanimous-consent calendar. I went into the matter. I went to Kentucky, not only for that purpose, but for other purposes. While there I conducted an investigation into the matter. I met with certain gentlemen whom both Senators from Kentucky had asked me to meet. We went into the basis of the original grant, and I satisfied myself that the Morse formula did not apply to that piece of property, and I said so upon my return to the floor of the Senate and gave my reasons in detail. When reservations are made in original grants we have carried out the reservations. However, in this instance no reservation was made. This was an out-and-out grant. The principle of the Indian giver should not be applied against the taxpayers of the United States.

Mr. President, we can well imagine what the reaction in Des Moines, Iowa, would have been if there had been an attempt at any time when this fort was in operation if it had been suggested that it should be transferred somewhere else. We would have discovered how valuable the fort operation was to the people of Des Moines. The cries from Des Moines to block the transfer of Government activity at the fort would have been heard all the way to Washington, D. C. So I say that giving them credit for the \$64,000, giving them credit for the water system and sewage disposal system, giving them credit for the other so-called equities in this conference report cannot be justified in the conference report because we have in many other instances already taken that type of equity into account by reducing the payment from 100 percent to 50 percent.

I wish to say also that I appreciate the fact that the members of the conference committee have retained that part of my amendment which strikes the words "and directed" because even if the President were to sign the bill, with those words out of the bill, future control of the property will still be vested and remain within the Military Establishment or those who have jurisdiction over it. The retention of that much of my amendment at least leaves the military under no obligation to dispose of the property, if the property is needed.

I can see some interesting questions which may arise as to whether after the present emergency or after world war III, if it should come and result in successful

conclusion so far as our country is concerned, this bill will at that time create any vested rights in the State of Iowa. I shall not curbstone on that legal question, Mr. President. However, I think in view of the fact that the words "and directed" have been eliminated from the bill, it is still—and if I understand the Senator from Florida [Mr. HOLLAND], the chairman of the conference committee, he does not disagree on this point—within the right of the Military Establishment to refuse to transfer this property to the State of Iowa at this time.

I am appreciative that one safeguard provided for in my amendment has been retained in the bill. I am also appreciative that the particular buildings which were requested by the former Secretary of the Army, Mr. Gray, are exempted from this bill, in accordance with the part of my amendment which exempted them.

Mr. President, I express great disappointment and regret that the committee has seen fit to break through the uniform application of a formula which has received very widespread acceptance and cooperation within the Senate in regard to other bills, so that what looked like a fair pattern and rule to apply in these cases under the unanimous-consent calendar must now be modified on the part of the junior Senator from Oregon, at least as to the exercise of his rights under the unanimous-consent calendar. In the future I shall do what I can to prevent a situation arising, as it has arisen on the floor of the Senate this afternoon through this conference report. I shall object to the giving of consent in advance to the application of the so-called Morse formula until the House in the first instance has already accepted it.

Mr. HOLLAND. I appreciate greatly the concern of the Senator from Oregon with reference to the application of the general rule to which he has referred as the Morse rule—and I think it is entitled to be so named—but I want to say that I am in complete accord with his feeling that the rule has been of great value to our Nation, and that in many cases it can be properly followed with good results to our Nation. I hope the distinguished Senator from Oregon will give ear to what I am saying, because I am trying to pay him a deserved compliment. I think he is entitled to be complimented for having worked to bring out this rule and for insisting that it be applied in many cases to the disposition of military property declared to be surplus.

The sole reason for my rising to reply, however, is that I feel there is much point to the statement made by the distinguished junior Senator from Iowa that it is always a question of discretion as to how the rule shall be interpreted and whether the rule should be applied at all in a particular case. Briefly, I wish to invite the attention of the Senate to several facts, most of which I think have been recognized by the Senator from Oregon.

First, the House bill did not make the disposition of this property discretionary. The amendment of the Senator from Oregon made it discretionary. The question of the disposal lies in the sound

judgment of those charged with the defense of our Nation. That amendment has been left in the bill by the conference committee. In other words, if this property is required at this time, or there is feeling on the part of those charged with our defense that it will be required in the near future, all they have to do is decline to act under this bill, which is permissive only.

The second point I wish to make is that, at least in the humble judgment of the junior Senator from Florida, the formula adopted by the conference committee in this particular instance is much more advantageous to the Federal Government, in the event subsequent military use of this property may be required, in the judgment of those charged with the responsibility for our defense, than was the so-called Morse rule as strictly applied under the amendment offered by the Senator from Oregon.

The Senator from Florida has already called the attention of Senators to the fact that the application of the amendment offered by the Senator from Oregon, requiring payment of one-half of the appraised value of the property, made no provision for recapture. Likewise, there was no provision in the bill requiring public use by the State of Iowa, and there was no provision in the bill preventing the alienation of any part of the property.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. SALTONSTALL. I should like to say, as one member of the subcommittee who worked with the Senator from Oregon in drawing up the formula, which the Senator from Oregon has been more conscientious than I have in trying to live up to, that we understood at that time, or at least I understood, there would be exceptions to the rule and that there would be other forms of compensation as well. As I listened to the Senator from Florida present the conference report, it occurred to me that there were other forms of compensation on this particular property which was one of the difficult properties in connection with this whole formula and what was done about it.

Mr. HOLLAND. I thank the Senator from Massachusetts. That was precisely the judgment of the conferees, who do not want to be, even by indirect, chargeable with having put across or given their approval to anything that might be regarded as a steal of the property, who proceeded in good faith on this matter, and who think they did a better job than was done in the bill with the Senate amendments.

Completing my report, I merely wish to call attention to the fact that with the second so-called Morse amendment in it, making effective the so-called Morse rule of disposition, there was no recapture clause; there was no provision for public use, limiting the use of the property by the State of Iowa to public use; there was no provision against alienation in parcels; there was no agreement that whenever the United States Government wants this property, in the opinion of the defense officials, they can get it back by paying anything the State of Iowa has

paid out—that is, the fair value—by way of additional construction.

It seemed to the conference committee—and I say this with great respect to the Senator from Oregon, for whose opinion I have great regard, and for whose activity in this particular field I have particular respect, because I believe it has been of great advantage to the people of the United States to apply in general the so-called Morse formula to surplus sales—I call this now to the attention of the Senator from Oregon, that under his amendment this property, once sold, would have been completely beyond reach of any restriction of the use, any restriction against alienation, any provision for recapture, much less a provision for recapture at only the price or the value of any additional construction from now on, and that the sale, under the amendment imposed on the bill on the motion of the Senator from Oregon, would have simply been to the State for one-half of the price and the State would have been free to make subdivisions out of it, to have made a fair-ground out of it, to have done anything it saw fit, and to have made it impossible for the Defense Department to get the return of the property at a reasonable price.

The other suggestion just made by the Senator from Oregon was, in the mind of the committee, even less in the interest of the United States, that is, offering the property for sale to the public at public auction, or by taking competitive bids, because that would, of course, have meant inescapably the use of the property, which lies close to Des Moines—it is a square mile of property—for residential subdivision and building, and would have placed it completely out of reach of the Federal Government.

With much respect, speaking for the conferees, who were unanimous on this point, I reiterate that it was our judgment that the application of the provision worked out in conference was more salutary and much more useful to the United States Government, in the long run, in this particular case, than would have been the application of the Morse rule.

The conferees do not want to be regarded as having by any means abandoned the Morse rule, or having felt that it should have been inapplicable in the ordinary case. The conferees recall that there have been cases in the near past when the Senator from Oregon has himself risen on the Senate floor and assured Senators those particular cases did not come within the Morse rule, and that if they did, it was quite right in those cases for the property to be disposed of without consideration because of some particular equity.

Therefore with all kindness, and having in mind entirely the desirability of preserving and safeguarding the Morse rule, it was the sincere judgment of the conferees and it is now the sincere judgment of the Senator from Florida that the United States is much better served under the provisions of the conference report and the conference bill than it would have been served with the two Senate amendments in the bill.

Mr. MORSE. Mr. President, I wish to say that so far as the Senator from Florida and the members of the conference committee are concerned, I think they have very ably and fairly presented the difference of opinion they have with the Senator from Oregon with respect to the bill. I respect them for their opinion. They have not persuaded me at all as to the merits of their position.

With regard to the first point the Senator from Florida makes in reply, respecting the fact that the bill in its present form contains no language with any reservations in it with regard to public use, I assure him that it has been our observation, as a result of our study in connection with similar legislation in the past, that most State laws, and I am sure he would find it so in the case of the State of Iowa, place very definite limitations and restrictions on the State itself with regard to the use to which property belonging to it can be put. I think he will find that in most of these instances such reservations are not needed in the statute itself because the State's ownership of property is limited to a public use.

However, I did not write this particular bill, and for a double safety purpose I would agree with the Senator from Florida that it would be well to have such reservations included as the conference committee has put in it. That was their job, and to that part of the report I do not object.

As to the second position taken by the Senator from Florida, with regard to his objection to following the course of action of getting a hundred cents on the dollar for commercial use if it should be decided that the property in fact is surplus and is not needed I simply do not follow him. If it should be decided that the property should be disposed of for a non-Federal use, then I take the position that the State of Iowa either ought to pay a full 50 percent of its appraised fair market value on the finding that it is not needed for any Federal use, or the property should go on the commercial market at a hundred cents on the dollar. I can assure the Senate that full market value could be obtained for this valuable property if it were put on the market tomorrow. It would be found it would be gobbled up so fast by commercial interests in Des Moines that there would be almost a gold-rush stampede in the attempts to buy the property.

So I repeat, if the property in fact is not used for encampment purposes by the Federal Government, then it is only fair that the State of Iowa should pay a full 50 percent of the fair market value of the property. If it is needed, then of course under no circumstances should the property be transferred.

The Senator from Florida has taken the steps necessary to give the Federal Government the discretion of not transferring the property, if it is needed, by adopting in the conference report the amendment I put in the bill.

I think it is good for the record that we have had this discussion this afternoon. I fear that this will serve as a precedent for a further breaking down of the Morse formula. However, I wish to say that I think the Senator from

Florida has been very fair in his dealings with me on this issue. He and his conferees have done what they think is fair in resolving this matter.

They and I hold an honest difference of opinion with regard to the policy which the conference committee is applying to this particular piece of property.

When I have had my day in court, I have always demonstrated my willingness to abide by the decision of the tribunal which has jurisdiction over me, and I am ready for a vote.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

FIFTH SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY

Mr. SALTONSTALL. Mr. President, tomorrow we shall witness the opening of the fifth session of the United Nations General Assembly. We look to its deliberations with prayers in our hearts that out of those deliberations will come decisions which will lead us to a more peaceful world with greater mutual confidence in and respect for one another. The United Nations Assembly in the original Charter was not given a place of major importance. It has become of great significance to peoples of the world because of the failure of the Security Council to function. It has proved to be not only a forum for discussion and suggestion, but also a deliberative body to which a troubled and frightened world listens attentively.

We give heed to the otherwise unenforceable decisions of the United Nations Assembly because we know they are the product of a free and open debate by leading citizens of the nations of the world who want desperately to find solutions to the problems that may otherwise lead us all into world war III. For these reasons we anticipate these coming sessions with hope and prayer that those solutions may be forthcoming.

The United States is represented by a distinguished group of men and women. Some have been our worthy delegates at other sessions. Others go for the first time. The United States Senate can well be proud that Senators from Massachusetts and Alabama are chosen. Both are well informed and attentive students of international problems. We know that their words will be given respectful attention and their votes will be carefully considered. We commend again the fact that former Senator Austin has always so ably led our delegation and that former Senator Cooper continues to play the part that he has. Mrs. Roosevelt and the other ladies are fine advocates of how our free country improves and betters the way of life for its citizens. We can be sure our delegates will do their part to make this session of the United Nations assembly fulfill the prayers of peoples of every race, creed, and color in the many countries, big and small, strong and weak, youthful and aspiring, that are looking earnestly and hopefully to it for judgments that will succor this troubled world and lead it into paths of greater peace and more happiness.

DEATH OF REV. DR. WILLIAM BARROW PUGH

Mr. MARTIN. Mr. President, on Wednesday afternoon there will be laid to rest in the chaplain's plot of Arlington National Cemetery the mortal remains of Dr. William Barrow Pugh, a true soldier of the cross, one of the great Christian leaders of the world, and an outstanding American patriot.

Dr. Pugh served for 12 years as stated clerk of the general assembly of the Presbyterian Church in the United States. His tragic death last Thursday in an automobile accident in Wyoming deprived our Nation of a man whose whole career was dedicated to the service of his God, his country, and his fellowman.

Dr. Pugh's untimely end came as a great shock to me because of the close association it was my privilege to have had with him in church work and in military service.

During World War I he served in France as a chaplain of the Twenty-eighth Division, the famous iron division of the Pennsylvania National Guard, and took part in three major offensives.

I know from personal experience of his great influence in strengthening the soldiers' morale and ministering to their spiritual needs.

After the war he was for 20 years chaplain of the One Hundred and Eleventh Infantry of the Pennsylvania National Guard.

In World War II Dr. Pugh served as Chairman of the General Commission on Army and Navy Chaplains. In recognition of his inspiring spiritual leadership and brilliant administrative ability, he was awarded the War Department Medal of Merit.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD as a part of my remarks an editorial eulogizing Dr. Pugh, which appeared in the Philadelphia Inquirer of Saturday, September 16.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE TRAGIC DEATH OF DR. PUGH

In the tragic death of Rev. Dr. William Barrow Pugh, killed in an automobile accident in Wyoming, the Presbyterian Church in the United States of America has lost a leader whose inspired influence has touched the minds and hearts of men in many parts of the world.

The progress made by the church during the 12 years he served as stated clerk of the General Assembly—the principal executive office—is testimony enough to Dr. Pugh's administrative ability. Even more impressive, perhaps, were the spiritual qualities which he displayed throughout his career, the emphasis which he constantly placed upon patriotism, the unbounded energy with which he discharged his responsibilities.

Dr. Pugh's counsel will be missed in many phases of religious life. His interest in the spiritual welfare of the Armed Forces, with which he served overseas as a chaplain during the First World War, and his untiring efforts in behalf of ultimate church unity were but two of the varied activities to which he unstintingly devoted his time and all of his talents.

The untimely death of this man would have been tragic under any circumstances. It is made all the more so by the fact that

he died in an accident which, according to every report, might so readily have been averted.

DISCHARGE OF FIDUCIARY OBLIGATION TO IRAN

Mr. MALONE obtained the floor.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. MALONE. I yield.

Mr. O'MAHONEY. Mr. President, I have just been advised by the acting majority leader that the so-called Iranian bill, H. R. 5731, which is the unfinished business, will not be discussed this evening but will be taken up when the Senate assembles tomorrow? Is that correct?

Mr. McFARLAND. That is correct, Mr. President. Quite a number of Senators have asked that it go over until tomorrow morning.

The PRESIDING OFFICER (Mr. CHAPMAN in the chair). The bill (H. R. 5731), has already been made the unfinished business.

Mr. O'MAHONEY. Mr. President, I wanted to make the announcement in the RECORD so that Members of the Senate on reading the RECORD in the morning would know what the bill is about, as I see it.

Upon the call of the calendar on several occasions I have objected to the passage of this bill. I do not believe the RECORD shows that it is a measure to discharge a fiduciary obligation, as the title of the bill recites.

This bill has been abandoned for over 25 years. A measure to this effect was introduced in the Sixty-ninth Congress, but was abandoned. It has just recently been revised. It deals with one of the most mysterious assassinations in the history of American diplomacy. Maj. Robert Imbrie, who was the first United States representative at the Turkish capital, Ankara, and was sent to Russia after the Bolshevik revolution, and who was very responsible for the westernization of Turkey, was assassinated in Tehran. There is every reason to believe that he was assassinated by the Bolsheviks. He was one of the most distinguished diplomatic representatives the United States has had. One hundred and ten thousand dollars was the cost of transporting his body from Persia to the United States in a United States Navy cruiser, the United States cruiser *Trenton*. That \$110,000 was paid by Persia as reparations, and it was paid into the Treasury of the United States. This bill seeks now to have that sum declared to be a trust fund for the education of Persian students.

I would have no objection at all to the appropriation of funds to educate Persian students in the United States. I think that would be a very desirable thing to do. However, I object most seriously to such utilization of the money which was paid by the Persian Government as reparations for the assassination, probably by the Bolsheviks, of an American representative.

I have objected continuously to the passage of this bill, whenever it has been reached during the call of the Senate calendar, because I have felt that this is no time for the United States to close its eyes to treatment of this kind, ema-

nating in all probability from the Bolsheviks, and inflicted upon one of our representatives.

With the further indulgence of the Senator from Nevada, I desire to read into the RECORD a brief paragraph from the volume entitled "One Hundred Red Days," by Edgar Sisson. Mr. Sisson was ordered to go to Russia by President Woodrow Wilson, in October 1917, and he wrote this brief account of what happened during the 100 days when the Bolsheviks destroyed democratic government in Russia, and set up the dictatorship which now is about to wreck the entire world. This is the language of Mr. Sisson, the special representative of Woodrow Wilson in Russia, as published by the Yale University Press in 1931:

Intelligence channel, however, between Russia and the United States was not closed. Robert Imbrie, sent by Ambassador Francis from Vologda to be acting consul at Petrograd after the Brest-Litovsk peace reopened the city, became the active intelligence officer, and continued in that capacity after Americans left Russia, going then to the border city of Viborg, in Finland. His work, so far as I know, never has received public credit, and certainly not its deserts. Nor have I felt that his death, in Tehran, July 18, 1924, was free from mystery. He was killed, supposedly by accidental violence, in a street riot which suddenly flared up around him without understood cause. Tehran at that time was a center for a Bolshevik group plotting Asiatic turmoil. The Persian Government, because the death was in its territory, paid indemnity to Imbrie's widow and the international episode was officially closed.

I was protected from the Bolsheviks by the publication of my report. To have harmed me afterward would have been a silly form of confession. Imbrie, however, never had that protection. He remained on distant service.

Mr. President, I have the report of Lindsay Warren, the head of the General Accounting Office, who filed a report denying that the exchange of notes in this case, relied upon in the committee report, constituted in any sense an obligation upon the part of the United States.

Tomorrow I shall undertake to discuss this matter at greater length.

ANNOUNCEMENT REGARDING ALASKA STATEHOOD BILL

Mr. MALONE. Mr. President—

Mr. O'MAHONEY. Mr. President, if the Senator from Nevada will further yield to me, I should like to make another brief statement.

Mr. MALONE. I yield.

Mr. O'MAHONEY. As I understand, there now have been enacted, or passed upon, all of the measures which were announced, following the last meeting of the majority policy committee, as the measures which would be acted upon following the call of the calendar, except the Iranian bill to which I have just referred and the bill to provide for a union shop for railroad employees. At that time it also was announced by the majority leader that after those measures were disposed of, the next order of business would be the statehood bills for Alaska and for Hawaii.

Therefore, I now give notice that it will be my purpose at a suitable time tomorrow to move to have the Senate proceed to the consideration of the bill,

now on the calendar, providing for statehood for the Territory of Alaska.

I thank the Senator from Nevada for yielding to me.

Mr. McFARLAND. Consideration of that bill is to follow consideration of the bill providing for a union shop for railroad employees; is it?

Mr. O'MAHONEY. Oh, yes.

Mr. O'MAHONEY subsequently said: Mr. President, my purpose was to give this public notice on the floor of the Senate, because I know that a majority of the Members of the Senate desire to vote for statehood for Alaska and for statehood for Hawaii, and I believe it would be a great mistake for the Senate to adjourn or to take a recess without taking positive action on both those measures.

OUT-PATIENT TREATMENT OF SPANISH-AMERICAN WAR VETERANS — ANNOUNCEMENT REGARDING VETO MESSAGE

Mr. HILL. Mr. President, will the Senator yield?

Mr. MALONE. I am glad to yield to the distinguished Senator from Alabama.

Mr. HILL. Mr. President, there is also at the desk the President's message vetoing House bill 6217. That bill provides for out-patient treatment by the Veterans' Administration of Spanish-American War veterans.

Of course that is a highly privileged matter. In connection with the program which is suggested by the distinguished Senator from Wyoming, I wish to say that I shall not only press for action on the bill to permit railroad employees to have the right to have union shops, but I shall also call up for action by the Senate the President's veto of House bill 6217.

Mr. O'MAHONEY. Mr. President, the Senator is quite correct; that is a privileged matter.

ANNOUNCEMENT REGARDING TAX BILL CONFERENCE REPORT AND CONSIDERATION OF ALASKA AND HAWAII STATEHOOD BILLS

Mr. MALONE. Mr. President—

Mr. O'MAHONEY. Mr. President, will the Senator yield further to me?

Mr. MALONE. I am glad to yield.

Mr. O'MAHONEY. I should like to make the following additional statement: A few moments ago I consulted the chairman of the Finance Committee, and was advised by him that the conferees on the tax bill had not reached an agreement today, and that they will have another meeting in the morning. Whether at that time they will reach an agreement, remains to be seen; but I understand that they will endeavor to reach an agreement some time tomorrow.

There will be no voting in the House of Representatives on any of these controversial matters until Wednesday. So we shall have ample time in the Senate to proceed to the consideration of the Statehood bills.

GRANT OF CITIZENSHIP TO KOREANS AND OTHERS—ANNOUNCEMENT REGARDING VETO MESSAGE.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. MALONE. I am glad to yield to the junior Senator from Arizona.

Mr. McFARLAND. I should like to state that there are two veto messages which are privileged matters. They are in addition to the bill providing for a union shop for railroad employees, which has already been referred to.

The first is the veto message on House Joint Resolution 238, which provides for the granting of citizenship to Koreans and others. The second is the veto message on House bill 6217, which provides for out-patient treatment for veterans of the Spanish-American War. I wish to make that announcement, so that the Senate will have notice of these various matters.

ASSISTANCE TO SCHOOLS IN AREAS AFFECTED BY FEDERAL ACTIVITIES—CONFERENCE REPORT

Mr. MALONE. Mr. President—

Mr. HILL. Mr. President, will the Senator yield?

Mr. MALONE. I am happy to yield to the Senator from Alabama.

Mr. HILL. There is at the desk a conference report to which I think there will be no objection. It is a conference report on the bill which the Senate passed the other evening, House bill 7940, to provide financial assistance for local educational agencies in areas affected by Federal activities, and for other purposes.

The report is unanimously agreed to, and is signed for the minority conferees by the distinguished senior Senator from Ohio [Mr. TAFT], who was present at both the meetings of the conferees, and took full part in the deliberations and the agreements reached by the conferees. The conference report is also signed by the distinguished Senator from Vermont [Mr. AIKEN] and by the three majority conferees, the Senator from Minnesota [Mr. HUMPHREY], the Senator from Illinois [Mr. DOUGLAS], and the senior Senator from Alabama.

I wonder whether the Senator from Nevada will yield now, in order to permit me to have that conference report acted upon?

Mr. MALONE. I am happy to have the bill approved.

Mr. HILL. Mr. President, I now submit a conference report on the bill (H. R. 7940) to provide financial assistance for local educational agencies in areas affected by Federal activities, and for other purposes, and I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The report was read.

(For conference report, see House proceedings for Sept. 20, pp. 15298-15302.)

The PRESIDING OFFICER. Is there objection to the present consideration of the conference report?

There being no objection, the Senate proceeded to consider the conference report.

Mr. HILL. Mr. President, I may say that the one major difference between the Senate and House in this conference related to whether the legislation should be permanent. The House bill provided permanent legislation. The Senate bill provided that the legislation should be limited to a period of 3 years. We agreed in conference on a limitation of

4 years. The Senate won its point that the legislation should not be permanent, but should be of a temporary nature, and, as I say, the conference limited its duration to 4 years. I move that the Senate agree to conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. MALONE. Mr. President, I was happy to yield to the distinguished Senator from Alabama for the conference report on the education bill, because I consider it one of the most important measures passed by the Senate at this session.

Mr. HILL. Mr. President, if the Senate will yield, I desire to express my deep appreciation of the courtesy of the Senator in having yielded. No Senator in the Senate has been more active in obtaining the passage of this legislation, or more interested in it, than has the Senator from Nevada.

Mr. MALONE. I thank the Senator.

WHERRY-MALONE-KEM-BYRD AMENDMENT, SUPPLEMENTAL APPROPRIATION BILL FOR 1951—WARNING BY ECA DIRECTOR HOFFMAN

Mr. MALONE. The amendment to the supplemental appropriation bill for the fiscal year ending June 30, 1951, proposed by the Senator from Nebraska [Mr. WHERRY], the Senator from Nevada [Mr. MALONE], the Senator from Missouri [Mr. KEM], and the Senator from Virginia [Mr. BYRD] was adopted by the Senate. It was a very great satisfaction to the junior Senator from Nevada because, from the very first debate on the Marshall plan, in March 1948, the junior Senator from Nevada called attention to the numerous trade treaties between some of the Marshall-plan countries, notably England, at that time with Russia and other iron-curtain countries, and to the fact that they were being furnished many materials which could be used for rearmament in world war III, including locomotives, tools, tool steel, electrical equipment, and many other necessary materials.

THIRD YEAR OF ASSISTING RUSSIA

This is the third year, and the junior Senator from Nevada has, at every opportunity, called attention to these treaties, as they increased in number. In 1949 the number of such treaties had increased to 88. It was amply shown in the debate in March of 1949 on the European relief program—ECA—that 83 of these treaties were then in existence and in good standing, that practically all the nations had entered into the treaties by that time—that is, all 16 of the Marshall-plan countries had entered into treaties with Russia and the iron-curtain countries, under which they were sending practically everything that was needed to consolidate their gains in eastern Europe and in Communist China.

JOINT RESOLUTION TO STOP ASSISTING RUSSIA

Nothing was done, and on January 24, 1950, the junior Senator from Nevada introduced a joint resolution which would have stopped the shipment of material and the giving of assistance of any kind to any nation which was in any

manner assisting Russia and the other iron-curtain countries to rearm, including Communist China, or furnishing them with materials which would assist in the consolidation of their gains in those areas.

Mr. President, I want to say that war material may consist of practically any kind of material. Even buttons, that may be used on a shirt, the shirt itself; shoes, any kind of manufactured or processed material, or raw materials which go into the manufacture of any kind of material which may be worn or used by soldiers in the field or at home.

A PLAY ON WORDS

Mr. President, it is merely a play on words to say that because some material is not actually shot out of a cannon or used in the making of a gun, or that in some manner the material that is used in the field in warfare, is not war material, is simply a play on words and a subterfuge for the purpose of assisting our potential enemies.

Mr. President, Mr. Hoffman says they trade the war materials for strategic minerals and materials—chrome, manganese, and so forth—all of these minerals and materials are available elsewhere—the chrome and manganese from South Africa in South Africa territory, which is largely controlled by England.

THE FOUR LETTERS—THE PRESIDENT, ACHESON, HOFFMAN, PACE

Mr. President, I understand there have been four letters written to the conference committee on this bill—"very strong letters" is the way they are described—one by the President of the United States, asking that this amendment be rejected; another by Secretary of State Acheson; another by Mr. Pace, Director of the Budget of the United States, at the moment. Mr. Hoffman, ECA Director, wrote a "very strong letter" we are given to understand in a current dispatch to the Washington Post of this morning, entitled "Materials Ban May Kill Aid, Hoffman Says." I read from the dispatch:

Marshall Plan Director Paul G. Hoffman has warned Congress it may wreck the entire foreign-aid program if it bans shipment of so-called strategic materials to iron-curtain countries, it was disclosed yesterday.

The Senate wrote the ban into an amendment to the pending \$17,000,000,000 defense appropriation bill.

A high official of Hoffman's agency—the Economic Cooperation Administration—said Hoffman made his views known in a tough letter to Senate-House conferees who are working on the bill's final draft. This official added that foreign-aid officials will appear before a House committee today and "open up the whole thing so the people can have a look at it."

OPEN IT UP SO THE PEOPLE MAY HAVE A LOOK AT IT

Mr. President, that is exactly what the junior Senator from Nevada has been trying to do for 3 years—to open up the whole thing, so that the people may have a look at it. In other words, with 86 trade treaties in good standing between the 15 Marshall-plan countries on the one hand, and Russia and the other iron-curtain countries, on the other hand, shipping everything from clothespins, tools, tool steel, ball bearings to steam engines, it is time that someone opened

it up so the people might take a look at it.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. MALONE. I am happy to yield.

Mr. WHERRY. I do not want to detain the Senate. I note that the distinguished Senator is covering this news item carried by the United Press, which is in the Washington Post this morning. I should like to ask the distinguished Senator to read the third paragraph, which states:

A high official of Hoffman's agency—the Economic Cooperation Administration—

I notice the name of the high official is omitted—

said Hoffman made his views known in a "tough" letter to Senate-House conferees who are working on the bill's final draft.

I desire to ask the distinguished Senator whether, as a member of the conference, he feels that the conferees are to be bound by a "tough" letter from a deputy administrator or from the administrator of any agency who attempts to tell the members of the conference what they shall do in resolving the differences in legislation as between the Senate and the House?

MR. HOFFMAN IS GOING FAR AFIELD

Mr. MALONE. Mr. President, the junior Senator from Nevada cannot be too positive in his ideas as to what should be done with the "tough" letter. In other words, I was reading the paragraph when the distinguished Senator from Nebraska entered the Chamber and asked me to yield. It is the opinion of the junior Senator from Nevada that the Senate of the United States and the House are charged with responsibility for appropriations, when they consider them pertinent, and they are charged with the purposes for which these appropriations should be used.

THE DEPARTMENTS INTRODUCE BILLS

We have that same trouble in the Committee on Interior and Insular Affairs. An official from the Department of Justice appeared before the committee and said, "We introduced a bill." Those were the exact words he used—"We introduced a bill." I finally asked him whether he had begun voting on bills yet.

MR. HOFFMAN HAS THE WRONG JOB

It seems to me that Mr. Hoffman has the wrong job. He is from Michigan. It seems to me the thing for him to do is to run for the United States Senate, where he could rise on the Senate floor and give the Senators the benefit of his information and advice. But a "tough letter" from the chairman of any department should call for his instant dismissal.

Mr. WHERRY. I am glad to have the observation of the distinguished Senator from Nevada. Will the Senator yield for a further question?

Mr. MALONE. I am very happy to yield.

Mr. WHERRY. Further on in the dispatch, I find the following:

This official added that foreign-aid officials will appear before a House committee today and open up the whole thing so the people can have a look at it.

Does not the Senator feel that, after the Senate has passed a piece of legislation and the House has passed its version of it, or, even though the House has not done so, but the conferees are endeavoring to resolve their differences, if an official of the Government is to be heard, the conferees should be so advised and an invitation extended to them to be present, rather than to have such official appear before the conferees on the part of the Senate or before the conferees on the part of the House, and make a presentation to one side of the conference, in the absence of the other conferees?

HOFFMAN'S APPEARANCES SHOULD END WITH THE COMMITTEE

Mr. MALONE. I think the only place for Mr. Hoffman or any public official to be heard is in the proper committee, where he was heard prior to the introduction of the legislation. That is the place for them to be heard and to make their wants known. It is then up to the Senate and the House to pass upon the evidence, including that given by Mr. Hoffman or any other official of the ECA who wished to be heard.

Mr. WHERRY. If the Senator will yield further, I may say I agree fully with the answer given by the distinguished Senator to the question of the Senator from Nebraska. If the Senator will yield further, the dispatch says, "House conferees rejected the amendment Saturday after receipt of Hoffman's letter." I ask unanimous consent that I may make a brief statement at this point, without prejudicing the rights of the Senator from Nevada.

Mr. MALONE. I am happy to yield to the distinguished Senator from Nebraska. If I may say so at this point, the junior Senator from Nevada and the distinguished Senator from Nebraska have worked together continually on this type of legislation. I consider it vital.

Mr. WHERRY. Certainly. That is why I want to give the information to the Senator, because the junior Senator from Nebraska happens to be a member of the conference on this bill. I want to say to the Senator and for the benefit of all Members of the Senate, that I was present all the time this matter was being considered, and, when the committee was considering the amendment offered by the four sponsors, namely, the Senator from Nevada [Mr. MALONE], the Senator from Virginia [Mr. BYRD], the Senator from Missouri [Mr. KEM], and the Senator from Nebraska, Representative GARY, chairman of the subcommittee of the House Committee on Appropriations, stated very fairly and honorably that he had received letters about the amendment not only from the ECA Administrator but also from other Government agencies.

The observation was then made by the distinguished chairman of the House committee that when the Senate writes any legislation on an appropriation bill it has to be taken back to the House to be voted upon, whether it is of a technical nature, or whether or not it is to be resisted. I want the distinguished Senator to know that the reason the Senate conferees permitted this amendment to go to the House was only because of

that fact and not because of any letter which Mr. Hoffman or any other man in his department wrote, no consideration to which was given by the conferees at all. It was the fact that an amendment was written in by the Senate, and being an appropriation bill, it automatically went back to the House, in order to have a vote on the amendment. That is the procedure under the rules of the House. It is absolutely incorrect to state, as this report states, that it was sent to the House because of any letter.

If the Senator will yield for one more observation, I should like to say one more thing with reference to this report. This official does not know what he is talking about. He speaks of military material. It is not material but matériel. The amendment refers to military matériel. There is a world of difference between matériel and material. The official does not even quote the amendment correctly, which shows that he has not studied it very carefully. He is quoted as saying:

If "military material" consisted of trucks, tanks and locomotives—

He said—

you'd have to take a complete inventory of General Motors Corp. and the Baldwin Locomotive Works and list everything, including screwdrivers, hammers, and saws that they use.

I want to say to the distinguished Senator from Nevada that there is not a bit of truth in that statement. That is not what the amendment provides. The amendment provides that the Secretary of Defense shall make a finding of what strategic materials are being exported by countries which are recipients of ECA help to enemy countries to be used by them to manufacture implements which would be useful to such countries, whether they be arms, armament, or military matériel. That is all the amendment provides for. It would not prohibit free intercourse in trade between those countries, or for those countries to supply other countries if they do not export materials which the Secretary of Defense says would be used to aid the enemy in its effort to prosecute the war.

I ask the distinguished Senator from Nevada if there is not a world of difference between what is in the amendment and what this official says about it, which is done for the sole purpose of creating opposition to the amendment in the House of Representatives?

MR. HOFFMAN AND TRUCKS

Mr. MALONE. Mr. President, I think the distinguished Senator from Nebraska is absolutely right. I am very much interested in this matter. The official is quoted as saying that if the military material consisted of trucks, tanks and locomotives he would have to take an inventory of General Motors. I recall that Mr. Hoffman used to be the head of a great automobile corporation. I also recall that he was quoted in newspapers quite liberally some time last year in which he said that we should import everything except automobiles—free trade on everything but automobiles.

In other words that is the meat of the matter. If the Director of the ECA is for

sending all kinds of war matériel to Russia, Manchuria, and Red China from where these materials find themselves into North Korea and South Korea, and without which material the war cannot be prosecuted, it is either ignorance or something worse.

Mr. WHERRY. If the distinguished Secretary of Defense makes such finding, a prohibition would be made. When the prohibition is made, unless that exporting country which is a recipient of ECA aid or of any other fund or grant—and this amendment does not apply only to ECA but to any other agency which lends or grants funds—their economic and financial assistance is cut off until they justify what they are doing. There is one further question I should like to ask. How silly is it for an official to say that if a country made screwdrivers it would have to be taken off the list. Would it not be a step in the right direction if the Secretary of Defense were to make a finding that none of these recipient countries could export to Russia or a satellite country of Russia the same materials which the Secretary of Commerce prohibits from being exported from the United States to those countries? Would that not be of some help?

Mr. MALONE. I think it might be.

Mr. WHERRY. Of course it would. If we could get the Secretary of Defense to certify to the exports which the Secretary of Commerce now prohibits to those countries we would gain a few steps along the right road. On the other hand we have this official—and, incidentally, he declines to give his name, although his interview was quoted in the press—who says that because a screwdriver contains iron, it cannot be shipped. That is not in the amendment at all. The amendment provides that if the Secretary of Defense makes a finding that such exports are being used to manufacture arms, armament, or matériel, and if that matériel is being used to prosecute the war, the Secretary of Defense should be the first to prohibit the country from getting that kind of material. Are we to do that kind of business with them? Are we to provide them such articles as sheet iron, for instance, from which barbed wire can be made, and lead, which they in turn export to Russia or satellite countries, and then find that the material sent them is used to make weapons with which to kill our boys?

WHAT DO YOU DO IN A COLD WAR—ARM THE ENEMY?

Mr. MALONE. I agree fully with what the distinguished Senator from Nebraska has said. I do not believe he goes far enough. Mr. President, we were supposed to be in a cold war with Russia. It was said that we are in a cold war with the iron-curtain countries. If a cold war consists of shipping every conceivable piece of equipment which is needed for consolidating the gains of Russia, in the iron-curtain countries, and Red China, and in increasing production in those countries, then I do not know the meaning of a cold war. Mr. President, the 16 Marshall-plan countries go further than that. Ninety-six trade treaties give the iron-curtain countries and

Russia every conceivable material, including ball bearings, tool steel, tools, steam engines, and hundreds of kinds of equipment and material. Mr. Churchill has said that England has long-term contract for shipping tools and other materials to Russia, and he is trying to precipitate a fight to turn over the Government of England using that as one of the factors, the fact that they are trading as usual with these eastern countries and Russia. He says that they—the 16 Marshall-plan countries—are now in worse shape to fight than they were 3 years ago, in spite of all the Marshall-plan assistance we have been sending them. Russia and the iron-curtain countries are getting it on the first bounce. We merely send the materials and the machinery to the ECA nations, and they manufacture and process it and ship it to the satellite countries.

MANUFACTURING-IN-TRANSIT ARRANGEMENT

It is a manufacturing-in-transit arrangement. So that is how we are fighting Russia and the iron-curtain countries. I should like to know how one is supposed to fight a war. If that is the way it is done, by furnishing everything a potential enemy needs, it is a strange way, indeed, to fight a war. We are not only shipping them the material they need, but we are shipping them the material they need to help North Korea or any other area into which they may decide to send soldiers, and to arm those soldiers. There is no question whatever but that much of the matériel which is processed and manufactured in the 16 Marshall-plan countries with our assistance is sent through Hong Kong into Communist China and has found its way into North Korea, and there is no doubt that equipment sent into Russia by the 16 Marshall-plan countries has found its way directly into Korea and other strategic areas, or displaced other material which is sent against our soldiers.

WHO IS FIGHTING WHOM?

Mr. President, who is fighting whom? We give the 16 Marshall-plan countries everything they need to arm Russia, the iron-curtain countries, and China. We send our troops to Korea to beat back the attack which was instigated by Russia and armed with materials which we furnished ourselves. It is well known that while Hitler was building himself up in the late thirties many of these European nations were trading with Germany, just as they are now trading with Russia and iron-curtain countries, until such time as Germany made up its mind to take possession of Europe, which proved not very much of a job. Germany could have been stopped at any time, as we could stop Russia and the iron-curtain countries, by the simple expedient of not helping them to arm and to consolidate their gains.

ARMING RUSSIA AS WE ARMED JAPAN IN 1936-41

Mr. President, I know of only one way to fight. If a man is going to fight anyone he does not hand him his revolver or its counterpart before the fight starts. That is exactly what we are doing. We are repeating the error we made in 1937, 1938, 1939, and 1940, when we furnished the materials to Japan with which to arm herself in the Second

World War. We shipped unlimited amounts of petroleum and scrap iron and other materials they needed. However, we have progressed quite a lot. We did at least require the Japanese to manufacture and process their own materials. We have reached the stage now when we do the processing and manufacturing for our potential enemies.

THE WASHINGTON POST ARTICLE

I ask unanimous consent to have this article appearing in the Washington Post of this morning entitled "Materials Ban May Kill Aid, Hoffman Says," part of which was debated with the distinguished Senator from Nebraska included in the RECORD.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

MATERIALS BAN MAY KILL AID, HOFFMAN SAYS

Marshall-Plan Director Paul G. Hoffman has warned Congress it may wreck the entire foreign aid program if it bans shipment of so-called strategic materials to iron-curtain countries, it was disclosed yesterday.

The Senate wrote the ban into an amendment to the pending \$17,000,000,000 defense appropriation bill.

A high official of Hoffman's agency—the Economic Cooperation Administration—said Hoffman made his views known in a tough letter to Senate-House conferees who are working on the bill's final draft. This official added that foreign aid officials will appear before a House committee today and open up the whole thing so the people can have a look at it.

House conferees rejected the amendment Saturday after receipt of Hoffman's letter.

The ECA officials pointed to the language barring aid to nations which not only send arms but which ship articles which may be used in the manufacture of arms or military materials.

"If military material consisted of trucks, tanks and locomotives," he said, "you'd have to take a complete inventory of General Motors Corp. and the Baldwin Locomotive Works and list everything, including screw drivers, hammers and saws that they use there."

"The ECA would have no discretion. It would have to cut off all aid to any country that sent any item on that list behind the iron curtain."

He said the proviso would either stop almost all east-west trade in Europe, or end United States Marshall-plan aid. In either case, he added, the American people would lose billions of dollars.

HOPE CONFEREES WILL APPROVE THE AMENDMENT

Mr. MALONE. Mr. President, I hope that the conferees will keep the amendment in the bill. I have tried to get copies of the letters this morning which had been written to the conferees by the President, by Secretary Acheson, by Mr. Pace, and by Mr. Hoffman.

We find we are unable to get the letters. I will not say they refused to give us copies of the letters, but we are not able to contact the right people to get the letters. It may be that there is something behind that particular refusal.

COMMUNISM MUST BE STOPPED BY THE WORKINGMEN, FARMERS, VETERANS, AND SMALL-BUSINESS MEN

Mr. President, I have repeatedly said on the Senate floor that if communism is to be stopped it is going to be stopped by the workingmen of America, by the farmers, by the veterans, and the small-business men. The large business inter-

ests are profiting from this 18-year-old emergency too much to take a very active part in stopping anything.

THE WAR PARTY

We have lived on emergencies for 18 years—we have had three world wars now in one generation—every Democratic President must have his war.

RUSSIAN GOODS TO THE UNITED STATES

Mr. President, I have repeatedly called attention to the A. F. of L. and the CIO longshoremen refusing to unload cargoes from Russia. I note that Walter Winchell in this morning's Post, of September 18, says:

That million-dollar boatload of furs (from Russia) which longshoremen refused to unload has found its way to the owners here.

Meaning in New York.

Those doing the unloading got a 2½ percent cut of the gross, plus time-and-a-half.

RUSSIA COMPETING WITH WORKINGMEN AND INVESTORS OF AMERICA

That shows great diligence on the part of the owner of the boatload of furs, and while I admire their diligence and their insistence on these furs arriving in America, I certainly do not agree that this material should be unloaded here on our markets in competition with the workers and investors of this country. I take this opportunity again to congratulate the CIO and the A. F. of L. longshoremen for refusing to have anything to do with the whole double-crossing deal.

MICHAEL LEE—FORMERLY LIEBERMAN—AND REMINGTON

Mr. President, in connection with many of these various methods of circumventing the will of Congress, and in other ways furthering the interests of Russia and the iron-curtain countries and Communist China, I wish to refer briefly to a dispatch in the Evening Star of September 18 headed: "Adverse report on Michael Lee returned by Loyalty Board."

It will be remembered that several months ago on the Senate floor I took up the matter of Mr. Lee, formerly Lieberman. He was in charge of the Far-Eastern Division, handling shipments during the war. I did not say that Mr. Lee was a Communist. I did not say Mr. Remington was a Communist, when I testified before the subcommittee of the Interstate and Foreign Commerce Committee, appointed especially to hear me in detail. What I said at that moment was that these men were dangerous security risks, and I proved it before the committee. Shipments of gas had been delayed under the direct supervision of Michael Lee, formerly Lieberman, and these men were dangerous security risks.

I am happy to see that the Board has changed its position and finally found Mr. Lee unsuitable for the position he has been holding. The article does say, however, that if the Board is sustained by Mr. Sawyer, the case will be sent to the President's Civil Service Loyalty Review Board, headed by Seth W. Richardson, Washington lawyer. There seems to be no record of this latter Board finding anyone guilty that the administration approved of, but I hope this will be

an exception, and I ask unanimous consent to include in the RECORD at this point the article appearing in the Evening Star today.

The PRESIDING OFFICER (Mr. CHAPMAN in the chair). Is there objection?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ADVERSE REPORT ON MICHAEL LEE RETURNED BY LOYALTY BOARD—FINDINGS NOW BEFORE SAWYER FOR REVIEW; APPEAL PREDICTED

A Commerce Department loyalty board has returned an adverse finding against Michael E. Lee, \$10,000-a-year chief of the Far Eastern Branch of the Office of International Trade, it was learned today.

Commerce officials confirmed that the board had made a finding against Mr. Lee and said it was returned more than 2 weeks ago.

They added that Mr. Lee, who has been on sick leave since Secretary of Commerce Sawyer demanded his resignation in June after a congressional airing of the case, had been suspended.

Mr. Lee's suspension, the officials added, was ordered September 9 and was automatic after the board's findings.

The findings are now before Secretary Sawyer for review.

If they are sustained, the case will be sent to the President's Civil Service Loyalty Review Board headed by Seth W. Richardson, Washington lawyer.

The finding against Mr. Lee's loyalty came as administrative hearings against the official were pending. These had been held up, Commerce officials said, because of Mr. Lee's illness.

Attorney Nathan David, who represented Mr. Lee in the administrative hearings but not in the loyalty case, said the case undoubtedly would be appealed.

Commerce officials refused to reveal what specific reasons were the basis for the board's findings. Such findings, it was said, usually are phrased in language saying there are "reasonable grounds" for questioning the loyalty of the person involved.

SECOND INVESTIGATION

It was the second time the board had looked into the Lee case. On August 10, 1949, a Commerce loyalty board, after months of investigation, found that "reasonable grounds do not exist to believe" that Mr. Lee was disloyal to the United States.

Commerce officials said the case was reopened last January on the basis of new information received about Mr. Lee.

A congressional inquiry into Mr. Lee's appointment was set off by a February 12 speech by Senator MALONE, Republican, of Nevada, charging that the official, as Chief of the Far Eastern Trade Branch, had delayed shipments to the Chinese Nationalists.

INQUIRY ASKED BY MALONE

He introduced a resolution calling for an investigation of Mr. Lee's loyalty. He told the Senate then that the official was a Manchurian-born Russian whose United States citizenship was rejected three times.

The citizenship, Senator MALONE said, was granted on the fourth attempt after Mr. Lee changed his real name of Ephraim Zinovi Liberman and had married an American.

A Senate Commerce subcommittee, headed by Senator HUNT, Democrat, of Wyoming, conducted a preliminary inquiry and called Secretary Sawyer and other Commerce officials to the Capitol to lay their findings before them.

LEE ASKED TO RESIGN

They were reported then as saying there would be a full-scale public investigation if Mr. Sawyer failed to remove Mr. Lee. Mr. Sawyer acted quickly and called for Mr. Lee's resignation. At the same time he asked for

the resignation of William W. Remington, another Commerce official under congressional attack.

Mr. Remington later resigned after being indicted by a New York grand jury. But Mr. Lee chose to fight the case through both loyalty and administrative hearings. He went on sick leave in June while the hearings were pending, and, Commerce officials said, had been drawing his pay until his suspension.

Mr. MALONE. Mr. President, yesterday the junior Senator from Nevada was the guest on the Meet the Press program so ably conducted by Miss Martha Rountree and Lawrence Spivak, former editor and publisher of Mercury magazine.

The able reporters joining in questioning the junior Senator from Nevada included Jack Bell, Associated Press; Warren Francis, of the Los Angeles Times; Times; L. K. Lindley, Washington editor of Newsweek.

In connection with that, Mr. President, I ask unanimous consent to have a dispatch dated September 18, from the Times-Herald, relative to the interview, included in the RECORD at this point.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

MALONE SEES ACHESON, MAC "ON WAY OUT"—SENATOR TELLS OF PLOT "TO GET" GENERAL

Senator MALONE, Republican, of Nevada, predicted yesterday that Secretary of State Acheson will be out in 60 days and said the dropping of Defense Secretary Johnson may mean that General MacArthur also is on the way out. A State Department cabal is out to get the general, he asserted.

Interviewed on NBC's "Meet the Press" telecast, MALONE said President Truman would not dare oust MacArthur now because of public opinion.

But he forecast that behind-the-scenes propaganda against the supreme Allied Commander will be stepped up in an attempt to change the public's feelings.

GENERAL'S VIEWS CLASH

MALONE asserted that Acheson will be let go by the administration because of continued public criticism.

The administration wants to get MacArthur out, he said, because the general's views differ from those of the State Department on far-eastern policy. He added that a whole crowd of Washington officials, including the State Department, is working underground against MacArthur.

MALONE also insisted that there are 100,000 men who would make good Secretaries of Defense and every tenth man on the sidewalk * * * couldn't do a worse job as Secretary of State than Acheson.

ATTACKS MARSHALL PLAN

In addition, he charged that the Marshall plan has promoted slavery in Africa.

As Secretary of Defense, MALONE asserted Gen. George C. Marshall won't be able to do anything more than carry out orders of the State Department regarding the Far East, and called his (MALONE'S) vote in favor of Acheson's confirmation "one of my colossal mistakes."

MALONE said he believes Johnson was fired because his views on the Far East differed with Acheson's and that Congress should adjourn now because it has delegated virtually all its powers to the executive branch.

Mr. MALONE. Mr. President, many times in the last 3 years I have tried to make some sense out of the Marshall plan, now known as the ECA, and several times have suggested that as a condition of giving money to any nation there be

certain conditions placed on furnishing money, machines, and materials: First, integrity of private investment, and second, lending of money to private business through the World Bank, under RFC rules and in no case furnishing funds and materials to the Socialist governments of Europe merely to reelect themselves.

The third point is the formation of a United States of Europe. It is now said by many that the only way to protect western Europe would be through a united effort, for the nations there to pool their resources under a United States of Europe.

Mr. Acheson has said many times that we will give further aid to Europe beyond the ECA, and now we see that Mr. Gray, one of his many assistants, has prepared a world-wide WPA which will take in all the world, so that we can go into the Far East and support the empire-minded nations in their ownership and control of those areas and of course go into Africa doing the same thing.

It takes in the whole world, with the United States financing it. There is no limit.

Fourth. We should have equal access to the trade of the areas whose integrity we protect. That does not fit into the plan of the empire-minded nations throughout the Far East and Africa.

Mr. President, I have tried to determine our foreign policy. What is our foreign policy? What are the areas—naming the nations—which we must currently defend for our ultimate safety? Right now, our distinguished general—General MacArthur—in the Far East seemingly has started an offensive and is in a fair way to winning the war in Korea by the old method he used in the Pacific, of cutting off the forces of the enemy. The President has never said where we are going when we do start driving the North Koreans back; whether we are going to the thirty-eighth parallel and leave a few divisions there or go on into North Korea, or go to Vladivostok, or Moscow.

NAME THE AREA—THE NATIONS

Let us name the areas and the nations whose integrity we must currently protect for our own ultimate safety.

Then let us build a national defense organization spearheaded by an Air Corps and a submarine fleet that will be final notice to the world and to our own people that we can protect our commitments.

THE MONROE DOCTRINE

That would simply be an extension of the Monroe Doctrine, and prepare us to do what we say we are going to do. I suggested this procedure on March 4, 1948—I now reiterate it is time that a definite foreign policy is established and the American people and the world informed of what we are trying to do.

The Constitution of the United States specifically charges the executive branch of the Government with that responsibility.

BOY SCOUTS OF AMERICA, NEVADA AREA COUNCIL,
RENO, NEV.

Mr. President, during these days of Communist infiltration into government

and civic affairs—when it is suddenly discovered that subversive organizations, under cover of patriotic motives, have operated to undermine the affairs of state; when it is suddenly realized that such men as the Eislers and the Alger Hisses were advisers in high places, even to Presidents and to Secretaries of State at Yalta, Potsdam, and Tehran, and that the international policies were fixed then that may be in a large measure responsible for Korea—it is time to take stock, to reassess the real values.

DEDICATED TO LOYALTY TO COUNTRY AND FAMILY

Mr. President, when the Nation seems to be recovering from an epidemic of leftist movements from the time when it was considered fashionable by many to sponsor such affairs it is comforting to know that there are certain organizations dedicated to loyalty and truth, dedicated to good, old-fashioned patriotism, dedicated to the defense of our Nation and of the family.

PRIDE OF ACCOMPLISHMENT

Many things, Mr. President, can and do happen to a man over a span of 32 years since the close of World War I in 1918, many things that he takes in stride at the time as a part of his regular chores or civic duty, assume a much greater importance in retrospect and in later years, and, Mr. President, my part in reorganizing the Boy Scouts, as president of the Nevada Area Council, in 1927 and 1928, is a period which I look back upon with great pride of accomplishment.

NEVADA COUNCIL LARGEST SCOUT COUNCIL IN THE NATION

The Nevada area council extends over 147,000 square miles—and is the largest of the 546 Scout councils in the United States.

The council has grown from approximately 300 Boy Scouts in 1927 to over 5,000 members at this time. Mr. Ray Marks of Reno, special representative of the Southern Pacific Co. in Nevada, is the current president of the Nevada Area Council and has been since 1948. He is doing the usual good job of directing its affairs. Mr. Alvin Grodrian is the present Scout executive and his special ability is well recognized. Scores of other outstanding men within the council boundaries are doing fine work with the boys, and I ask unanimous consent that the list of their names become a part of my remarks.

Mr. President, the list includes approximately 200 business and political leaders of my State of Nevada, and I am very proud of the interest taken by this group of prominent citizens in the Nevada Council of the Boy Scouts of America.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

EXECUTIVE BOARD OF NEVADA AREA COUNCIL, BOY SCOUTS OF AMERICA

Raymond E. Marks, president and national representative, Reno, Nev.; Walter Conrad, executive vice president, Reno, Nev.; C. V. Isbell, national representative, Reno, Nev.; Carl F. Johnson, national representative, Lake Tahoe, Nev.; Alvin Grodrian, secretary-treasurer, Reno, Nev.; V. O. Welty, council commissioner, Reno, Nev.; Monty Boland, chairman, advancement, Reno, Nev.; Clarence Favre, chairman, camping, Reno, Nev.;

Joe H. Caldwell, chairman, finance, Reno, Nev.; Dr. Wesley W. Hall, chairman, health and safety, Reno, Nev.; Vernon Durkee, chairman, training, Reno, Nev.; E. D. Carville, chairman, organization and extension, Reno, Nev.; Vail M. Pittman, honorary president, Carson City, Nev.; C. R. Hutchens, member, Westwood, Calif.; Eugene Aldrich, member, Westwood, Calif.; Tom Oliver, member, Westwood, Calif.; Harvey Flury, member, Winnemucca, Nev.; J. A. Anderson, member, Winnemucca, Nev.; Howard Lindsey, member, Winnemucca, Nev.; Eugene Wines, member, Elko, Nev.; George Plummer, member, Bishop, Calif.; Arthur Hess, member, Bishop, Calif.; Alex Krater, member, Independence, Calif.; J. Price Ronnow, member, Fallon, Nev.; Paul Jensen, member, Fallon, Nev.; Dr. G. T. Woodward, member, Fallon, Nev.; William B. Murphy, member, Susanville, Calif.; Dr. A. E. Priest, member, Susanville, Calif.; Al Thomas, member, Herlong, Calif.; Kenneth Jones, member, Carson City, Nev.; Milton B. Badt, member, Carson City, Nev.; Leonard Wilson, member, Loyalton, Calif.; Louis DeArmond, member, Portola, Calif.; Louis Richins, member, Portola, Calif.; Leslie M. Fry, member, Reno, Nev.; Harold Bartlett, member, Reno, Nev.; E. M. Quillid, member, Reno, Nev.; L. B. Peterson, member, Lovelock, Nev.; Dryl Galennie, member, Lovelock, Nev.; Pat Patricio, member, Lovelock, Nev.; J. Michaelson, member, Ruth, Nev.; Dale Bell, member, Ely, Nev.; William B. Stoops, member, Ely, Nev.; J. C. Kinnear, member, McGill, Nev.; Hon. George W. Malone, honorary board member, Washington, D. C.; Max C. Fleischmann, honorary board member, Glenbrook, Nev.; C. H. Jackson, Jr., honorary board member, Tuscarora, Nev.; Bing Crosby, honorary board member, Elko, Nev.; M. L. Armanko, member at large, Reno, Nev.; William O. Bay, member at large, Reno, Nev.; Dr. H. E. Belnap, member at large, Sparks, Nev.; Dr. J. E. Culbert, member at large, Reno, Nev.; J. W. DeSpain, member at large, Sparks, Nev.; Carl T. Friesen, member at large, Reno, Nev.; Elmer Goudy, member at large, Chester, Calif.; Fred S. Kelper, member at large, Reno, Nev.; William Mayo, member at large, Reno, Nev.; H. A. Nielsen, member at large, Reno, Nev.; Miles N. Pike, member at large, Reno, Nev.; Lester D. Summerfield, member at large, Reno, Nev.; C. B. Wyckoff, member at large, Reno, Nev.

Mr. MALONE. Mr. President, I had the pleasure of meeting several former members of the 1927 and 1928 Scout troops in Alaska and in the South Seas during World War II—I was very proud of them.

Their code as Scouts simply assumed that service to their country in time of emergency is the price of citizenship—patriotism is a part of their being—there can be no question of loyalty to the country and to the flag.

Mr. President, the Nevada State Journal of Reno, on Sunday, September 3, 1950, contains a short history of the Nevada Area Council and I ask unanimous consent to have it, together with the list of the names of council officers, appear in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEVADA'S SCOUT AREA COUNTRY'S LARGEST—ANOTHER COMMUNITY CHEST AGENCY TELLS WHY IT NEEDS SUPPORT

EDITOR'S NOTE.—Following is the fourth in a series of weekly articles pertaining to the agencies of Reno Community Chest. Today's article concerns the Nevada Area Council Boy Scouts of America, and more particularly the activities and projects of 1,253 Cub Scouts and Boy Scouts within the city

of Reno as well as the work of the area council office which is located in the State Building at Powning Park.)

ONE HUNDRED AND FORTY-SEVEN THOUSAND SQUARE MILES

Encompassing 147,000 square miles of territory, the Nevada Area Council, Boy Scouts of America, with headquarters in Reno, is the largest geographic area covered by any of the 546 Scout councils in the continental United States.

Service to such an area by a meager handful of trained executives would be a near impossibility were it not for the active interest of volunteers who recognize Cub and Scout training as perhaps the leading force against juvenile delinquency, and this recognition has been borne out over the years by exhaustive record of law enforcement departments. For instance, never in the history of Scouting in Reno proper, and that dates back to 1915, has a Reno Boy Scout been sent to the State reformatory in Elko.

TWELVE-POINT LAW

Reason for such an enviable record, especially in the last few years, can be found in the fundamentals of living which are stressed by the 12-point Scout law: "A Scout is trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean, and reverent." Application of this law to daily living, and the training of youth to cooperate with family, schools, and community forms the basic foundation for the success and growth of the world-wide movement.

Within the city limits of Reno today 1,253 boys and youths ranging in age from 8 to 20 years are actively engaged in the Cub Scout and Boy Scout program. Eleven years ago that figure stood at 327, showing a four-fold increase during a decade that has seen war and strife. So it can easily be seen that Scouting does more than hold the line against delinquency; it actually wages a winning war against it by the simple means of interesting youth in clean living and future planning.

Ten years ago the entire area council had 45 Scout units, consisting of Cub Pack, Scout troops, and senior units. Today Washoe County alone has 44 Scout units and within the city of Reno there are 34 active units. The entire membership in the area council in 1939 stood 1,600 boys. Today it stands at the all-time high of 5,012, and 25 percent of that total is located right in Reno.

REASON FOR GROWTH

Such rapid growth is the result of many things, but it is primarily reflected in the planning and thinking of the Scout organization which has actively awakened the interest of adult leaders, especially parents. This was accomplished through the broadening of the Scouting program to include Cub Scouting, which now opens the door to youngsters when they reach the age of 8, and through extension of interest on the other end of the scale to include explorer units and rover groups.

Where Scouting used to occupy interest of boys between 12 and 14 years of age, it now holds the active interest of boys from 8 to 19 and 20. Formerly a definite drop-off in interest was noticed shortly after a teen-ager had reached his fourteenth birthday, today that big drop-off is not noted until a youth reaches his sixteenth birthday.

How was the program successfully expanded? It's a good question, and the answer shows how fundamentals can work successfully in the broad scope of Scouting.

CUB PROGRAM

The Cub program for 8-to-11-year-olds starts in the home and is supervised by mothers who volunteer as den mothers. Dens consist of anywhere from 6 to 8 boys ranging in age from 8 through 10, and the dens are geographically scattered to roughly

conform with school areas. Usually 8 to 10 dens form a pack.

Once a week the Cubs meet at the home of the den mother. To play? Yes, but also to learn, since the advancement program demands a knowledge of the flag, knowing how to help out at home, learning to use tools, collecting and preparing scrapbooks, the use and knowledge of knots, safety, family fun, know your neighborhood and a physical program to keep strong and developing feats of athletic skill.

Boys of 8, 9, and 10 years of age are purposely grouped in a den to teach the younger boys how to get along with older boys and, conversely, to teach the older boys how to get along with their younger friends. Each age group has certain standards for advancement in the Cubbing program, and beyond this is an elective program which is comparable to the merit badge program of Boy Scouting. The Cub oath best tells its own story: "I promise to do my best to be square, do my duty to my country and to obey the law of the pack."

The pack meets once a month, usually in a school auditorium or perhaps in a church recreation hall. It is presided over by the Cubmaster.

Evidence of interest in this younger phase of the Scouting program, according to officials, is the fact that family crowds numbering as high as 250 persons often gather at a pack meeting of 60 Cubs.

The Cub program progresses through ranks bobcat, wolf, bear, and lion to the "Webeles" rank at age 10½. "Webeles" in Cubbing is equivalent to the Eagle Scout rank in the older boys' program. Actually it is a contraction meaning "We'll be loyal Scouts."

At age 11, Cubs are eligible for the Boy Scouts, and are usually presented by the Cubmaster to the Scoutmaster of the troop to which they will belong. Scouting does not however bar boys who have not been Cubs, nor do Cubs have to progress through all the ranks to become eligible for the Boy Scouts.

Twelve Cub packs, numbering 600 boys, are now active in Reno, and in Scouting itself, which takes in the ages of 11 to 13, there are 17 troops in Reno numbering 500 boys.

Scouting opens new fields for the former Cubs. Now their experience is broadened, and as they progress through the ranks of scouting they have opportunity to learn skills and take up hobbies that may play an important part in the life's work they choose. Actually the merit-badge program is one of vocational guidance in which many youths find they have talents never suspected which may lead them later to successful professional or business careers.

EXPLORERS

At 14, no matter what his rank, a Scout automatically becomes an explorer, and is eligible for this category to the age of 17. Here Scouting progresses into a higher level and operates much as a service club in which the members plan and handle their meetings, outline their projects, and cooperate with other civic clubs.

At the age of 17 youth may continue the program under the rover group, which actually aids the programming and planning of troops. In many instances youths going into the rover group has succeeded to Scoutmaster jobs and also on occasion into professional Scouting.

All the varied programs covering an age span of 12 years do not operate by themselves. Records are kept on each boy in the program, and that's a major job in itself. Then there is the summer camp planning and organization, arrangement of special trips, boards of review, and courts of honor for merit-badge awards and rank advancement, and of course the annual day in the spring when Nevada Scouts take over city, county, and State offices. And Nevada is the only State in the Union in which Scouts take over the State offices.

CRUISE TO HAWAII

In addition to regular camps this year four Reno Scouts and one leader took a 17-day cruise to Hawaii aboard a United States Navy transport. A total of 20 out of the area council went on the junket, and through arrangements made by the area council offices here, cost per individual was only \$45. There was also a 1-week trip to Yosemite by chartered bus, a program in which 90 Reno Scouts participated. Forty-three Reno Scouts also attended the summer jamboree at Valley Forge, Pa., a trip that lasted from 18 to 21 days. Some went by special train, others by chartered bus. A 1-week outing at Camp Tolyabe on the Mount Rose Highway was part of the summer program in which 67 Reno Scouts participated.

Scouting, insofar as Reno itself is concerned, is supported by funds from community chest, and even though the Nevada area council includes all of Nevada, with the exception of Clark and Lincoln Counties, as well as Sierra, Plumas, Alpine, Lassen, Inyo, and Mono Counties of California, each of the other districts supports its share of Scouting. Reno has 25 percent of the registered membership of the entire council, and populationwise 34.6 percent of the area council's population is centered here. Last year Reno's support of the movement was 21.5 percent of the total funds, and the volunteer officials of the Scouting movement are attempting to bring this figure to an exact 25 percent to be in conformance with the rest of the district. This is 1 of 15 reasons why Reno Community Chest annually seeks to raise in 1 drive funds necessary for operating its 15 beneficiary agencies.

35 YEARS OLD

Scouting dates back a good 35 years in the Reno area, with Rev. Brewster Adams leading the organization movement in 1915. Many Reno residents will remember that Frank E. Morse, then employed by Reno YMCA, also aided in the organization program, and that present Senator GEORGE W. MALONE was the first president in 1927. Also, "Gene" Sweatt was the first Scoutmaster ever to ascend to the presidency. Membership in those first few years fluctuated between 100 and 300, and it was not until 1937 that it took a major jump. Since that time it has made exceptional strides.

National records, according to Al Grodrian, Scout executive, point to other advancements also; for instance, the fact that 10 years ago 108 councils in the United States had a better record than Nevada. Today Nevada stands forty-seventh nationally, with a better record than 500 other councils. Most amazing, however, is the fact that despite almost quadruple growth, individual annual cost has shown a real decline. In 1941 the cost of Scouting in Nevada area council was \$14.41 per member. Today that figure is \$10.95 per member.

COUNCIL MEMBERS, NEVADA AREA COUNCIL, BOY SCOUTS OF AMERICA

Fred Abbey, Susanville, Calif.; Eugene Aldrich, Westwood, Calif.; Harry S. Allen, Box 529, Reno, Nev.; J. A. Anderson, Winnemucca, Nev.; M. L. Armarko, 152 North Virginia Street, Reno, Nev.; Arthur Bachelor, Lovelock, Nev.; Milton B. Badt, Carson City, Nev.; Harold Bartlett, 571 California Avenue, Reno, Nev.; William O. Bay, 301 Cheney Street, Reno, Nev.; Dale Bell, Ely, Nev.; Frank E. Bell, Ely, Nev.; Dr. H. E. Belnap, 346 Twelfth Street, Sparks, Nev.; John Block, Minden, Nev.; Monty Boland, 1611 Knox Avenue, Reno, Nev.; A. N. Bradshaw, Tonopah, Nev.; A. G. Brietwieser, Susanville, Calif.; Dr. C. I. Burnett, Susanville, Calif.; Joe H. Caldwell, 252 West First Street, Reno, Nev.; F. J. Calhoun, 1914 I Street, Sparks, Nev.; E. D. Carville, First National Bank Building, Reno, Nev.; E. P. Carville, First National Bank Building, Reno, Nev.; Milson Clark, Star Route, Susanville, Calif.; William B. Coffey, Route 2, Box

67, Reno, Nev.; Walter Conrad, 1431 Terrace Drive, Reno, Nev.; John B. Cooper, 104 Maple, Reno, Nev.; Bing Crosby, Elko, Nev.; Thomas Crossen, 853 Pine Street, Elko, Nev.; Newton Crumley, Commercial Hotel, Elko, Nev.; Dr. J. E. Culbert, Medico-Dental Building, Reno, Nev.; Louis DeArmand, Portola, Calif.; Philip DeLongchamps, Yerington, Nev.; John DeSpain, 61 B Street, Sparks, Nev.; Orval Dieter, Box 708, Susanville, Calif.; Kenneth Doyle, 704 Roop, Susanville, Calif.; Vernon Durkee, 220 West First Street, Reno, Nev.; Dan Eastman, Elko, Nev.; R. C. Ellis, Stockmen's Hotel, Elko, Nev.; John Emerson, United States Vanadium Corp., Bishop, Calif.; Donald Erskine, Winnemucca, Nev.; Clarence Favre, 210 West Second Street, Reno, Nev.; Max C. Fleischmann, Glenbrook, Nev.; Harvey Flury, Winnemucca, Nev.; Carl T. Friesen, First National Bank Building, Reno, Nev.; Leslie M. Fry, 139 North Virginia Street, Reno, Nev.; Daryl Galennie, Box 540, Lovelock, Nev.; George Gerbig, Chester, Calif.; H. J. Gilliam, Shoshone, Calif.; Elmer Goudy, Chester, Calif.; A. W. Greeley, Susanville, Calif.

Floyd Grieve, Box 38-1, Hawthorne, Nev.; Judge C. J. Guild, Carson City, Nev.; Dr. W. W. Hall, 307 West Sixth Street, Reno, Nev.; E. Arnold Hanson, Carson City, Nev.; Earl Hendersson, Route 1, Box 165, Reno, Nev.; Arthur Hess, Bishop, Calif.; Paul Hett, Sr., Box 286, Ruth, Nev.; Evert Humphrey, Box 216, Portola, Calif.; C. R. Hutchens, Box 661, Westwood, Calif.; C. V. Isbell, 1385 Lander Street, Reno, Nev.; C. H. Jackson, Jr., Tuscarora, Nev.; Carl F. Johnson, Zephyr Cove, Lake Tahoe, Nev.; Kenneth Jones, Carson City, Nev.; W. R. Keegan, Box 808, Ely, Nev.; Fred S. Kleper, 630 Sunset Drive, Reno, Nev.; Alex Krater, Independence, Calif.; Grover Krick, Minden, Nev.; R. A. Lewek, Box 781, Herlong, Calif.; John C. Lewis, 1112 West First Street, Reno, Nev.; Howard Lindsay, Winnemucca, Nev.; George W. Malone, Washington, D. C.; Raymond E. Marks, 43 Sierra Street, Reno, Nev.; Dino Martini, 259 Arroyo Street, Reno, Nev.; William Mayo, 745½ West Fifth Street, Reno, Nev.; E. L. Menu, 3001 Arlington Avenue, Reno, Nev.; J. Michaelson, Ruth, Nev.; Coy Munson, Box 678, McGill, Nev.; William B. Murphy, Susanville, Calif.; Ed McAmoll, 1410 Forest Street, Reno, Nev.; Donald McCafferty, 934 Vine Street, Reno, Nev.; Del McCuiston, 795 Seventh Street, Reno, Nev.; Harold McKenna, 518 South Virginia Street, Reno, Nev.; H. L. McMurphy, Susanville, Calif.; Dan Nelson, Lone Pine, Calif.; R. B. Nichols, Independence, Calif.; H. A. Nielson, 1104 Forest Street, Reno, Nev.; A. M. Nickolaus, Big Pine, Calif.; Tom Oliver, Westwood, Calif.; Pat Patricio, Box 186, Lovelock, Nev.; L. B. Peterson, Box 57, Lovelock, Nev.; Doc C. E. Piersall, Peavine Road, Reno, Nev.; Miles N. Pike, First National Bank Building, Reno, Nev.; Vail M. Pittman, Carson City, Nev.; George Plummer, Bishop, Calif.; Dr. A. E. Priest, Susanville, Calif.; E. M. Quilici, Box 1483, Reno, Nev.; Wallace Reed, Box S, Chester, Calif.; Dale Reynolds, Box 142, Elko, Nev.; Louis Richins, Portola, Calif.; J. Price Rennow, Box 574, Fallon, Nev.; Max O. Rusch, Lone Pine, Calif.; Robert T. Shaw, Chester, Calif.

Christ Sheerin, Elko, Nev.; Herbert Small, Box 761, Westwood, Nev.; John W. Snyder, 729 East Second Street, Reno, Nev.; George Sollers, Box 787, Babbitt, Nev.; George Soper, 148 West Liberty Street, Reno, Nev.; Carle B. Stanley, 150 North Virginia, Reno, Nev.; William B. Stoops, Ely, Nev.; L. D. Summerfield, Reno, Nev.; George Swallow, Ely, Nev.; Al Thomas, 901 Shasta, Herlong, Calif.; Oliver Thomas, 43 Sierra Street, Reno, Nev.; V. O. Welty, 408 Nevada Street, Reno, Nev.; Ben White, General Delivery, Herlong, Calif.; Leonard Wilson, Box 878, Loyalton, Calif.; Eugene Wines, 1012 Commercial, Elko, Nev.; C. W. Winton, Box 1364, McGill, Nev.; Dr. G. T. Woodward, Fallon, Nev.; Earl Wooster, Reno, Nev.; R. G. Wright, Bishop, Calif.; C. B. Wyecoff, 1901 Watt Street, Reno, Nev.; Charles W. Young, Box 1807, Reno, Nev.

Mr. MALONE. Mr. President, the Boy Scout oaths are the finest resolves that have ever come to my attention:

BOY SCOUT OATH

On my honor I will do my best to do my duty to God and my country, and to obey the Scout law; to help other people at all times; to keep myself physically strong, mentally awake, and morally straight.

CUB SCOUT OATH

I (the boy's name) promise to do my best, to do my duty to God and my country, to be square, and to obey the law of the pack.

Mr. President, I am still proud to be a member of the Board of the Nevada Area Council, and the Boy Scout program is worthy of the attention of every citizen of this Nation—let each man and woman look around them right in their own community—the work is done so quietly that it may be it has escaped their notice—and contribute something to it, either work or funds or both—and you will experience a satisfaction that rarely comes to us in this hurried world.

Remember these boys are the men who will be doing your fighting in future emergencies, that will soon be holding your public offices, and who will be running the business of the Nation within a few short years.

Mr. President, every day the news dispatches carry reports of all manner of crimes, mostly the result of warped minds, breaking under the strain and pressure of everyday life.

The Boy Scouts of America form a bulwark of character building. The organization provides a background of integrity and truth which is an invaluable asset to the man in the highly competitive business life of the Nation and guides him in the loyalty and ethics of serving his Government.

RECESS

Mr. McFARLAND. I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 27 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, September 19, 1950, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate September 18 (legislative day of July 20), 1950.

DEPARTMENT OF DEFENSE

George C. Marshall, of Virginia, to be Secretary of Defense.

IN THE ARMY

Gen. Omar Nelson Bradley, O3807, United States Army, for appointment as General of the Army in the Regular Army of the United States, under the provisions of an act of Congress approved September 18, 1950.

IN THE AIR FORCE

The following named officers for promotion in the United States Air Force, under the provisions of sections 502 and 509 of the Officer Personnel Act of 1947. Those officers whose names are preceded by the symbol (X) are subject to physical examination required by law. All others have been examined and found physically qualified for promotion.

To be major, Chaplains

Holt, Maurice Robert, 18767A.

To be captains, United States Air Force

Ackerman, Clifford Bernard, 14479A.
Adams, John Hardin, 14487A.
Addis, Darwin Romaine, 14502A.
Allen, Kenneth Leon, 14495A.
Allen, Robert Clyde, 14624A.
Anderson, John J., 14475A.
Ashton, Alfred Jackson, Jr., 14661A.
Atherton, Jack, 14525A.
Bailey, William Alexander, 14582A.
Barclay, Charles Floyd, 14654A.
Barr, Thomas Anthony, 14509A.
Barrett, Francis Edward, 14613A.
Bathurst, Raymond Joseph, 14562A.
Blaha, Roy Charles, 14513A.
Blanton, Curtis Elwood, 14669A.
Bonitz, George Edward, 14593A.
Broughton, Richard Norton, 14570A.
Brower, Charles Ford 3d, 14545A.
Browne, Donald Vincent, 14604A.
Bryant, James Arnold, 14585A.
X Buckingham, Kent Oakley, 14533A.
Buerger, Delbert Eugene, 14678A.
Button, Louis Hamilton, 14671A.
Calkins, Radford Chamberlin, 14640A.
Campbell, David Day, 14663A.
Campbell, Earl James, 14596A.
Carter, Wilbur Denver, 14531A.
Cartwright, Richard Harold, Jr., 14508A.
Cassady, Richard Harold, 14664A.
Caulfield, John Gregory, 14528A.
Chenault, Charles Joseph, 14665A.
Childress, Rollin Dudley, 14580A.
Christensen, Douglas Helmer, 14672A.
Cobery, Francis Foster, 14494A.
X Cochran, Robert Gardner, 14614A.
Coleman, Patrick Edward, 14558A.
Collette, Robert William, 14612A.
Cook, Walter Edward, 14627A.
X Coon, Robert Erwin, 14586A.
Cordes, Harry Nation, 14659A.
Craft, Jacob Frederick, 14584A.
Cross, Richard Grenville, Jr., 14492A.
Crowe, Donald Allen, 14666A.
Cummings, Robert Donovan, 14625A.
Cunningham, Bruce, 14630A.
Cutler, William Morton, 14481A.
X Davis, Beverly Early, Jr., 14529A.
Davis, James Alford, 14471A.
Deane, William Wallace, 14551A.
Deel, Ollie Ivan, 14608A.
DeFoe, Donald Ross, 14575A.
DeMott, Donald Ellsworth, 14598A.
Dougherty, John Edson, 14578A.
Dunaway, Kenneth Donald, 14478A.
Dunn, John Henry, 14656A.
X Eaglen, James Albert, 14601A.
Engelbreit, Joseph Carroll, 14569A.
Evans, Glenn Walton, 14568A.
Fairfield, William Adelbert, Jr., 14546A.
Ferguson, Robert Lawrence, 14583A.
Finlayson, James Carlyle, 14472A.
Fitzhugh, Richard Edwin, 14653A.
Fitzpatrick, John Francis, Jr., 14557A.
Foster, Charles Richard, 14637A.
Fowler, Robert Rex, 14686A.
Fox, Clyde, 14547A.
Franklin, Louie, 14523A.
Garden, Francis, 19904A.
Garlington, Henry Fitch, 14549A.
George, Robert Leonard, 14527A.
Gerber, Norris Hobart, 14514A.
Glass, Robert George, 14567A.
Gleason, Robert Leo, 14512A.
Greene, Julius Phillip, 14609A.
Goade, William Richard, 14552A.
X Goff, Theodore Bernard, 14544A.
Goodlad, Harold George, 14520A.
X Grimes, John Parker, 14537A.
Grunig, David Boyd, 14539A.
Gunderson, Robert Sheldon, 14650A.
Gutekunst, Charles Joseph, 14474A.
Hancock, John Jeremiah, 14496A.
X Hannon, James Daniel, 14554A.
Hathaway, Frank A., Jr., 14519A.
Haupt, Fred James, 3d, 14620A.
Hemphill, Mac C., 14673A.
Henderson, Jack Jasper, 14532A.
Henry, Patrick Homer, 14548A.
X Hensarling, Arthur Lee, 14649A.
Hermann, Wayne Eugene, 14553A.
Herrmann, Joseph Francis, Jr., 14524A.

Hervey, Robert Earl, 14633A.
 Hewatt, Aubrey Edward, 14470A.
 Hiltbrand, John Robert, 14641A.
 Hodges, Julian Oswald, 14645A.
 Hodges, Robert Mack, 14643A.
 Holland, Gould Kingery, 14621A.
 Hollis, George Thomson, 14655A.
 Hollis, Medford Eugene, 14501A.
 Holmberg, Herbert August, 14587A.
 Holtmann, Harrold Luther, 14591A.
 × Hovey, Marsh, 14660A.
 Hurley, Richard Munro, 14498A.
 Hutchins, Alfred Gordon, 14682A.
 Inks, Howard Russel, 14626A.
 Jaeger, Frank John, 14615A.
 Jenkins, Silas Matthew, 14576A.
 Johnson, Albert William, 14480A.
 Joley, Jack Douglas, 14482A.
 × Kahan, Albert, 14651A.
 Kemper, Othmar Arthur John, 14526A.
 × Kessinger, Walter Fred, 14610A.
 Kimball, John Gordon, 14647A.
 Kirberger, Myron Frederick, Jr., 14485A.
 Kitchings, Wilbur Bernard, 14550A.
 Klentzman, James Finley, 14476A.
 La Cagnin, Leonard James, 14574A.
 × Ludwig, Charles Andrew, Jr., 14536A.
 Lynn, Alfred Joseph, 14534A.
 McCormack, Robert, 14618A.
 McDonell, Roger William, 14503A.
 McLaughlin, William Allen, 14515A.
 Maggert, Donald Wilson, 14600A.
 Markel, Carroll Beverly, 14602A.
 Matlick, Benjamin Maurice, Jr., 14607A.
 Mayo, William Charles, 14506A.
 × McKendrick, Howard Raymond, 14676A.
 Mealka, John Charles, 14497A.
 Meyer, Lloyd Francis, 14538A.
 Miller, Clair Richard, 14638A.
 Miller, Earl Detrick, 14677A.
 Mims, Edwin Thomas, 14505A.
 × Moore, Jerry Porter, 14646A.
 Mullins, Arnold, 14681A.
 Murphy, Louis Francis, 14679A.
 Murray, Arthur, 14622A.
 Myers, Russell William, 14634A.
 Navarro, Michael, 14499A.
 Nelson, Richard Gasser, 14684A.
 × O'Dwyer, Phillip Winslow, 14606A.
 × Ong, Dong, 14556A.
 Orton, George Wandell, 14675A.
 Palmer, Garth Clare, 14565A.
 Pawlowski, Edward John, 14668A.
 Peck, Donald Arthur, 14644A.
 Penhall, Raymond Donald, 14579A.
 Pennock, Paul Warren, 14590A.
 Peterson, Eugene Franklin, 14611A.
 Peterson, Richard Burton, 14488A.
 Pierson, William Marvin, 14581A.
 Randle, Robert John, 14516A.
 Rayborn, Garland, 14500A.
 Reeves, Horace Bickley, 14564A.
 Remmele, Frank Mikell, 14642A.
 Richey, Albert LeBert, 14469A.
 Riggie, Donald Ellwood, 14434A.
 Rippey, James Vale, 14540A.
 Rogers, William Troy, Jr., 14518A.
 Rosengrants, David Earl, 14468A.
 Russell, James Wright, Jr., 14507A.
 Schaaf, Robert Andrew, 14632A.
 Schmid, Donald Ernest, 14652A.
 Shannon, James Alvin, 14510A.
 Shatts, Garvin Phillip, 14555A.
 × Shaughnessy, William Joseph, Jr., 14535A.
 Sheehan, Douglas Martin, 14588A.
 Shotts, Bryan Meeks, 14680A.
 Simon, Bernard Robert, 14670A.
 Smith, Donavon Francis, 14577A.
 Smith, Harry Edward, Jr., 14543A.
 Smith, Russel H., 14486A.
 Smith, Thomas William, Jr., 14566A.
 Sommers, William Joseph, 14636A.
 Stauff, Oscar Brent, Jr., 14592A.
 Stoble, William Henry, 14658A.
 Stoker, Norman Pierre, 14493A.
 Stone, Francis Arthur, 14674A.
 Stowell, Lester Drew, 14639A.
 Susong, Charles Joseph, Jr., 14631A.
 Tallent, Girard Sullivan, 14605A.
 Tatsios, Theodore George, 14599A.
 Thomas, William Carl, 14561A.
 Toler, Harold Morton, 14473A.
 Trimble, George Layton, Jr., 14595A.

Trost, Herbert, 14489A.
 Truitt, Robert Glenn, 14685A.
 Unger, Edward Collins, 14491A.
 Van Hoy, Lonnie Elliott, 14629A.
 Vizi, Joseph Charles, 14628A.
 Voss, Clyde Kellam, 14541A.
 Wagner, Kermit Allan, 14687A.
 Waldrop, Ramon Allen, 14635A.
 × Walker, James Carleton, 14619A.
 Walker, Richard Ivey, 14589A.
 Walsh, Edward Michael, Jr., 14688A.
 Wardner, Robert Sewell, 14522A.
 Waters, Alfred Lafayette, 14511A.
 Watson, Paul Cooper, 14603A.
 Webb, Charles John, 14597A.
 Webster, George Elias, 14662A.
 × Weir, Gerald Clyde, 14542A.
 Wells, Mac Colbert, 14616A.
 Wennergren, William Archie, Jr., 14648A.
 Westerman, Raymond Spires, 14617A.
 × White, Victor Mayo, 14594A.
 Wiechert, Stanley Joseph, 14530A.
 Wilkins, Paul Harry, 14667A.
 × Will, William Frederick, Jr., 14571A.
 Williams, Richard Francis, 14559A.
 Willis, Richard Bruce, 14572A.
 Wright, Albert William, 14560A.

The following-named officers for promotion in the United States Air Force under the provisions of section 107 of the Army-Navy Nurses Act of 1947, as amended by Public Law 514, Eighty-first Congress. All officers have been examined and found physically qualified for promotion.

To be captains, Air Force nurses

Spohn, Edith Eloise, AN1128.
 Sutton, Mary Louise, AN1445.

NOTE.—The officers nominated for promotion to major and captain will complete the required 14 and 7 years' service, respectively, for promotion purposes during the month of October 1950. Dates of rank will be determined by the Secretary of the Air Force.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 18 (legislative day of July 20), 1950:

CALIFORNIA DEBRIS COMMISSION

Col. John S. Seybold, Corps of Engineers, to serve as president and member of the California Debris Commission.

UNITED NATIONS

Benjamin V. Cohen, of New York, to be an alternate representative of the United States of America to the fifth session of the General Assembly of the United Nations.

DIPLOMATIC AND FOREIGN SERVICE

William O'Dwyer, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Mexico.

AIR FORCE OF THE UNITED STATES

The following-named officer for temporary appointment in the Air Force of the United States under the provisions of section 515, Officer Personnel Act of 1947:

To be brigadier general

Col. Darr Hayes Alkire, 298A, United States Air Force.

UNITED STATES AIR FORCE RESERVE

The following-named officer for appointment in the United States Air Force Reserve under the provisions of section 37, the National Defense Act, as amended. This officer is subject to physical examination as required by law:

To be brigadier general

Col. Thomas Randall Rampy, AO922780, United States Air Force Reserve.

UNITED STATES AIR FORCE

The following-named persons for appointment in the United States Air Force in the grades indicated, with dates of rank to be determined by the Secretary of the Air Force under the provisions of section 506, Public

Law 381, Eightieth Congress (Officer Personnel Act of 1947), and title II, Public Law 385, Eightieth Congress (Army-Navy-Public Health Service Medical Officer Procurement Act of 1947):

To be captains, United States Air Force (medical)

Maurice L. Ferguson, AO1765040.
 Sidney G. White, AO1785875.

To be captains, United States Air Force (dental)

John M. Hewson, O1703356.
 Alphonse A. Zukowski, AO1687001.

To be first lieutenants, United States Air Force (medical)

Charles P. DeMinico, 523498, United States Naval Reserve.
 LeRoy C. Pierce, O976006.
 Robert L. Rudolph, AO1906449.
 Edward V. Schaffer, AO965455.

To be first lieutenants, United States Air Force (dental)

Philip A. Barale.
 Charles B. Warr, AO387936.

To be first lieutenants, United States Air Force (veterinary)

James Armstrong, AO930471.
 J. B. Couch, AO379148.
 George T. Dalziel, AO503536.
 Edward P. Hornickel, AO428009.
 Roy E. Kyner, Jr., AO512187.
 Frederick Well, AO1744927.

To be second lieutenants, United States Air Force (medical service)

John N. Allinson, AO2050709.
 Clarence L. Ashlin, AO963564.
 William S. Beck, AO1541918.
 Wilbert A. Black, AO1543063.
 Marilyn W. Boruff, AO968524.
 Raymond J. Cook, AO1533992.
 Verne W. Cornils, AO1533287.
 Philip Dibona, AO1534712.
 Charles C. Dunn, AO718178.
 John J. Dykstra, AO454050.
 Raymond A. Flavion, AO1546606.
 Walter F. Garner, AO1533062.
 Steven V. Haigler, Jr., AO1547640.
 Robert E. Hedblom, AO997407.
 Daniel M. Herrin, Jr., AO1637657.
 Francis L. Hollihan, AO451615.
 Robert L. Holliday, AO1541459.
 John A. Johnson, AO1534051.
 Herman I. Little, AO1545510.
 Anthony J. Lubrant, AO2049001.
 Kenneth L. Marolf, AO1543496.
 Albert M. Meyer, AO976872.
 Thomas R. Michael, AO590274.
 Fred B. Morgan, Jr., AO2011819.
 Floyd M. Morris, AO811828.
 Harry B. Nicely, Jr., AO2002338.
 William L. Plock, AO1534362.
 Stanley Rhodes, AO2048460.
 Floyd G. Richardson, AO2011335.
 Robert J. Rofits, AO2046806.
 Donald J. Ruffing, AO2002100.
 Harold G. Schult, AO1547448.
 Kenneth E. Smyth, AO1576672.
 Don J. Spiers, AO1703811.
 Robert E. Sullivan, AO1546834.
 Ray H. Tingen, AO1543583.
 William E. Weller, AO1547496.
 Orbin R. Whitt, AO2050693.
 Noel F. Windsor, AO975108.
 Donald R. Winkelblech, AO2048197.
 Henry M. Woolf, AO1544317.
 Billy B. Zellers, AO1544419.
 George Zinnemann, AO1543545.

The following-named persons for appointment in the United States Air Force in the grade indicated, with dates of rank to be determined by the Secretary of the Air Force under the provisions of section 101, Public Law 36, Eightieth Congress (Army-Navy Nurses Act of 1947):

To be second lieutenants, United States Air Force (nurses)

Harriett J. Bratton, AN779661.
 Erminia DeZorzi, AN792994.

Bertha E. Evans, AN804108.
Elizabeth M. Kennedy, AN792228.
Doris M. Kessler, AN762740.
Kathryn M. Maue, AN795326.
Elizabeth J. Wagner, AN792939.

The following-named persons for appointment in the United States Air Force in the grade indicated, with dates of rank to be determined by the Secretary of the Air Force under the provisions of section 102, Public Law 36, Eightieth Congress (Army-Navy Nurses Act of 1947):

To be second lieutenants, United States Air Force (women's medical specialists)

Betty L. Bales, AR2540.
Jean M. Ertwine, AM2848.

The following-named distinguished officer candidates for appointment in the United States Air Force in the grade indicated, with dates of rank to be determined by the Secretary of the Air Force under the provisions of section 506, Public Law 381, Eightieth Congress (Officer Personnel Act of 1947):

To be second lieutenants

Robert D. Canfield, AO591058.
John F. Daley, Jr., AO591110.
Howard F. Day, AO591111.
Robert F. Dees, AO591112.
Enos J. Dickson, AO591118.
Bernard V. Duclos, AO591126.
Leonard C. Herr, AO591164.
Robert E. Lee, AO591189.
Thomas E. McNair, AO591202.
Harry V. Montague, Jr., AO591214.
Bill T. Moore, AO591216.
Milfred F. Smith, AO591253.
William F. Smith III, AO591256.
Wallace K. Wrott, AO591290.

The following-named distinguished officer candidate for appointment in the United States Air Force in the grade indicated, with date of rank to be determined by the Secretary of the Air Force under the provisions of section 506, Public Law 381, Eightieth Congress (Officer Personnel Act of 1947), and section 301, Public Law 625, Eightieth Congress (Women's Armed Services Integration Act of 1948):

To be second lieutenant

Frances W. Isbell, AL591227.

The following-named distinguished aviation cadets for appointment in the United States Air Force in the grade indicated, with dates of rank to be determined by the Secretary of the Air Force under the provisions of section 506, Public Law 381, Eightieth Congress (Officer Personnel Act of 1947):

To be second lieutenants

David S. Ammerman	Edmund T. Pawelek
Earl F. Bancroft	William G. Podoll
Kenneth G. Boyer	Kent W. Rabbitt
William F. Bretzius III	Edwin J. Scarff
Harry B. Davis	Paul P. Schmidt
Louis J. Del Do	Walter Simons, Jr.
John R. Hills	Archie N. Walter
Scott C. Jones	Wesley W. Williams

Subject to physical qualification and subject to designation as distinguished military graduates, the following-named distinguished military students of the Senior Division, Reserve Officers' Training Corps, for appointment in the United States Air Force in the grade of second lieutenant, with dates of rank to be determined by the Secretary of the Air Force, under the provisions of section 506, Public Law 381, Eightieth Congress (Officer Personnel Act of 1947):

Robert F. Ambrose	Henry H. Conner, Jr.
Edward J. Belinski	Edwin A. Coy
Richard L. Bockstiegel	Edward H. Curtis
William C. Boettcher	Derrell C. Dowdy
Thomas W. Bostick	Boyd H. Edwards
Edward J. Brown	James F. Fagan
Valter T. Buffington	Gerald A. Ferguson, Jr.
George R. Busse	Henry C. Gordon
Robert M. Cameron	Harry E. Hand
Grant S. Christensen	William M. Harvey, Jr.
Robert L. Clark	Dwight J. Hatcher

Robert G. Hawk	Edward L. Perkins
Robert Y. Henslee	James W. Petrie
Robert O. Holaway	Jay D. Pinson
Howard P. Hollinger	Paul C. Plastino
Donald W. Hollway	Robert H. Rahiser
Paul D. Hoover	A. Albert Restum
Harold T. Jones	Alvin J. Rose
John P. Kidner	Dan S. Shipley
George J. Kovachich	H. B. Siquefield, Jr.
Rufus H. Mahaffey, Jr.	Kenneth R. Smith
George D. Matthews	Walter M. Snyder
Richard E. Michaud	Patrick R. Stevens
Edward P. Miles	Homer W. Swenson
Edward K. Mills, Jr.	John B. Templeton
Donald M. Mixson	William F. Waters
Jack C. Mullins	John W. Wayne III
Ralbern H. Murray	

HOUSE OF REPRESENTATIVES

MONDAY, SEPTEMBER 18, 1950

The House met at 12 o'clock noon.

Dr. Robert S. Cooper, pastor, East Washington Heights Baptist Church, Washington, D. C., offered the following prayer:

Our Father, who art in Heaven, at the beginning of this day of business we would bow before Thee. We would acknowledge our debt to Thee for all the blessings which Thou hast graciously given our country. During the years of its history, Thou hast given unto us both material and physical blessings and the richness of leadership to guide us through crisis after crisis. For all these and the many other blessings we would thank Thee.

And now, O Father, would we bow in behalf of these men who gather here to carry on the work of our country. Let the fullness of Thy grace, peace, and wisdom be with them from day to day. Steer them in the right paths, guard them from the many pitfalls that constantly beset those of positions of prominence. Let them so be led of Thee that through this emergency we shall speedily come again to peace. In Jesus' name we pray. Amen.

The Journal of the proceedings of Friday, September 15, 1950, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Hawks, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On September 9, 1950:

H. R. 1271. An act for the relief of Carl E. Lawson and Fireman's Fund Indemnity Co.;
H. R. 7302. An act to amend the act of July 14, 1943, relating to the establishment of the George Washington Carver National Monument, and for other purposes;

H. R. 8028. An act to authorize the Secretary of the Interior to dispose of the remaining Government lots in the town site of St. Marks, Fla.; and

H. J. Res. 385. Joint resolution to provide for the acceptance on behalf of the United States of a memorial plaque to the memory of Stephen Collins Foster, and for other purposes.

On September 11, 1950:

H. R. 8594. An act to provide for the acquisition, construction, expansion, rehabili-

tation, conversion, and joint utilization of facilities necessary for the administration and training of units of the Reserve components of the Armed Forces of the United States, and for other purposes; and

H. R. 9038. An act to authorize the President to determine the form of the national budget and of departmental estimates, to modernize and simplify governmental accounting and auditing methods and procedures, and for other purposes.

On September 13, 1950:

H. R. 2233. An act conferring jurisdiction upon the United States District Court for the Territory of Hawaii to hear, determine, and render judgment upon the claim of Ewa Plantation, a Hawaiian corporation.

On September 18, 1950:

H. R. 9646. An act to authorize the President to appoint General of the Army George C. Marshall to the office of Secretary of Defense.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment a bill and joint resolution of the House of the following titles:

H. R. 9362. An act to provide for the exchange of certain national park land situated in the District of Columbia for certain lands owned by the New Temple Committee, Inc.; and

H. J. Res. 536. Joint resolution to provide for the reappointment of Harvey N. Davis and Arthur H. Compton as members of the Board of Regents of the Smithsonian Institution.

The message also announced that the Senate had passed a bill and concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 4145. An act to assist the national defense by authorizing the provision of housing at reactivated military installations, and for other purposes; and

S. Con. Res. 79. Concurrent resolution directing that there shall accompany every report of a committee of conference a statement explaining the effect of the action agreed on by the committee.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 6319) entitled "An act to authorize a \$100 per capita payment to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. O'MAHONEY, Mr. McFARLAND, and Mr. BUTLER to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 7940) entitled "An act to provide financial assistance for local educational agencies in areas affected by Federal activities, and for other purposes," agrees to the conference requested by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HILL, Mr. HUMPHREY, Mr. DOUGLAS, Mr. TAFT, and Mr. AIKEN to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 3357) entitled "An act to prohibit transportation of gambling devices in interstate and foreign commerce," requests a conference